

# FEDERAL REGISTER

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**Agencies in this issue—**

Agricultural Research Service  
Agriculture Department  
Atomic Energy Commission  
Commodity Credit Corporation  
Consumer and Marketing Service  
Defense Department  
Education Office  
Emergency Preparedness Office  
Federal Aviation Administration  
Federal Communications Commission  
Federal Home Loan Bank Board  
Federal Maritime Commission  
Federal Trade Commission  
Fish and Wildlife Service  
International Commerce Bureau  
Interstate Commerce Commission  
Land Management Bureau  
National Highway Safety Bureau  
Post Office Department  
Public Health Service  
Securities and Exchange Commission  
Veterans Administration

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[Revised as of January 1, 1970]

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# Rules and Regulations

## Title 7—AGRICULTURE

### Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Valencia Orange Reg. 326]

#### PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

##### Limitation of Handling

##### § 908.626 Valencia Orange Regulation 326.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on August 11, 1970.

(b) Order. (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period August 14, 1970, through August 20, 1970, are hereby fixed as follows:

- (i) District 1: 225,000 cartons;
- (ii) District 2: 275,000 cartons;
- (iii) District 3: 15,000 cartons.

(2) As used in this section, "handler", "District 1", "District 2", "District 3", and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: August 11, 1970.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and  
Vegetable Division, Consumer  
and Marketing Service.

[F.R. Doc. 70-10685; Filed, Aug. 12, 1970;  
11:19 a.m.]

#### Chapter XIV—Commodity Credit Corporation, Department of Agriculture

##### SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1970 Crop Soybean Supp.]

#### PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

##### Subpart—1970 Crop Soybean Loan and Purchase Program

The General Regulations Governing Price Support for the 1970 and Subsequent Crops, published at 35 F.R. 7363 and 7781 and any amendments thereto are further supplemented for the 1970 crop of soybeans by adding §§ 1421.390-1421.393 to read as follows.

Sec.

- 1421.390 Availability.
- 1421.391 Warehouse Charges.
- 1421.392 Maturity of loans.
- 1421.393 Support rates, premiums, and discounts.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070 as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 203, 301, 401, 63 Stat. 1054; 7 U.S.C. 1446(d), 1447, 1421.

##### § 1421.390 Availability.

A producer desiring a price support loan must request a loan on his eligible 1970 crop soybeans on or before May 31,

1971. To obtain price support through sales, a producer must execute and deliver to the appropriate county ASCS office, on or before June 30, 1971, a Purchase Agreement (Form CCC-614) indicating the approximate quantity of 1970 crop soybeans he may sell to CCC.

##### § 1421.391 Warehouse charges.

Subject to the provisions of § 1421.372, the schedules of deductions set forth in this section shall apply to soybeans stored in an approved warehouse operating under the Uniform Grain Storage Agreement, or operated by an eastern common carrier.

##### (a) Warehouses approved under the Uniform Grain Storage Agreement.

##### SCHEDULE OF DEDUCTIONS FOR STORAGE CHARGES FOR MATURITY DATE OF JUNE 30, 1971

Storage start date: <sup>1</sup>	Deduction (cents-per bushel)
Prior to Aug. 13, 1970	12
Aug. 13-Sept. 9, 1970	11
Sept. 10-Oct. 7, 1970	10
Oct. 8-Nov. 4, 1970	9
Nov. 5-Dec. 2, 1970	8
Dec. 3-Dec. 30, 1970	7
Dec. 31, 1970-Jan. 27, 1971	6
Jan. 28-Feb. 24, 1971	5
Feb. 25-Mar. 24, 1971	4
Mar. 25-Apr. 21, 1971	3
Apr. 22-May 19, 1971	2
May 20-June 30, 1971	1

<sup>1</sup> All dates inclusive.

(b) Warehouse operated by Eastern common carrier. (1) Eligible soybeans stored in the following approved Eastern common carrier warehouse may be placed under loan or offered for sale to CCC: Pennsylvania Railroad Co., Canton Elevator, Warehouse Code 9-2151, Baltimore, Md.

(2) Schedule of deductions for storage charges:

Maturity date of June 30, 1971: <sup>1</sup>	Deduction (cents per bushel) <sup>2</sup>
Prior to July 16, 1970	18
July 16-Aug. 4, 1970	17
Aug. 5-Aug. 24, 1970	16
Aug. 25-Sept. 13, 1970	15
Sept. 14-Oct. 3, 1970	14
Oct. 4-Oct. 23, 1970	13
Oct. 24-Nov. 12, 1970	12
Nov. 13-Dec. 2, 1970	11
Dec. 3-Dec. 22, 1970	10
Dec. 23, 1970-Jan. 11, 1971	9
Jan. 12-Jan. 31, 1971	8
Feb. 1-Feb. 20, 1971	7
Feb. 21-Mar. 12, 1971	6
Mar. 13-Apr. 1, 1971	5
Apr. 2-Apr. 21, 1971	4
Apr. 22-May 11, 1971	3
May 12-May 31, 1971	2
June 1-June 30, 1971	1

<sup>1</sup> Storage commence date, all dates inclusive.

<sup>2</sup> If producer presents evidence that elevation charges were prepaid, the storage deduction shall be reduced by 2½ cents per bushel.



## § 1421.392 Maturity of loans.

Loans mature on demand but not later than June 30, 1971.

## § 1421.393 Support rates, premiums and discounts.

Farm-stored soybean loans shall be made at the basic county support rate for the county in which the soybeans were produced, adjusted only for the Weed Control discount where applicable. The support rate for warehouse-storage loans and for soybeans acquired under a loan or by purchase shall be the basic support rate for the county in which the soybeans were produced adjusted by the applicable premiums and discounts prescribed in paragraphs (b) and (c) of this section. Settlement of loans and purchases shall be made as provided in § 1421.23 of the general regulations.

(a) Basic county support rates. Basic county support rates for the classes Green Soybeans and Yellow Soybeans containing 12.8 to 13.0 percent moisture and grading not lower than No. 2 on the factors of test weight, splits, and heat damage and No. 1 on all other factors are as follows:

ALABAMA			
County	Rate per Bushel	County	Rate per Bushel
Baldwin	\$2.28	Monroe	\$2.26
Clarke	2.26	Washington	2.26
Escambia	2.27	All other	
Mobile	2.28	counties	2.25

ARIZONA			
All counties			\$2.11

ARKANSAS			
Arkansas	\$2.28	Lawrence	\$2.28
Ashley	2.28	Lee	2.28
Baxter	2.24	Lincoln	2.28
Benton	2.18	Little River	2.21
Boone	2.21	Logan	2.21
Bradley	2.27	Lonoke	2.27
Calhoun	2.25	Madison	2.20
Carroll	2.20	Marion	2.23
Chicot	2.28	Miller	2.21
Clark	2.23	Mississippi	2.28
Clay	2.28	Monroe	2.28
Cleburne	2.25	Montgomery	2.21
Cleveland	2.27	Nevada	2.22
Columbia	2.23	Newton	2.21
Conway	2.24	Ouachita	2.24
Craighead	2.28	Perry	2.24
Crawford	2.20	Phillips	2.28
Crittenden	2.28	Pike	2.21
Cross	2.28	Poinsett	2.28
Dallas	2.25	Polk	2.20
Desha	2.28	Pope	2.23
Drew	2.28	Prairie	2.28
Faulkner	2.25	Pulaski	2.25
Franklin	2.21	Randolph	2.27
Fulton	2.25	St. Francis	2.28
Garland	2.23	Saline	2.24
Grant	2.25	Scott	2.20
Greene	2.28	Searcy	2.23
Hempstead	2.21	Sebastian	2.20
Hot Spring	2.24	Sevier	2.20
Howard	2.20	Sharp	2.27
Independence	2.27	Stone	2.25
Izard	2.25	Union	2.25
Jackson	2.28	Van Buren	2.24
Jefferson	2.27	Washington	2.19
Johnson	2.22	White	2.27
Lafayette	2.21	Woodruff	2.28
		Yell	2.22

CALIFORNIA			
All counties			\$2.11

DELAWARE			
County	Rate per Bushel	County	Rate per Bushel
Kent	\$2.25	Sussex	\$2.26
New Castle	2.24		

FLORIDA			
Baker	\$2.25	Lafayette	\$2.25
Bay	2.25	Leon	2.25
Calhoun	2.25	Liberty	2.25
Columbia	2.25	Madison	2.25
Dixie	2.25	Nassau	2.25
Duval	2.25	Okaloosa	2.27
Escambia	2.27	Santa Rosa	2.27
Franklin	2.25	Suwannee	2.25
Gadsden	2.25	Taylor	2.25
Gulf	2.25	Wakulla	2.25
Hamilton	2.25	Walton	2.27
Holmes	2.25	Washington	2.25
Jackson	2.25	All other	
Jefferson	2.25	counties	2.24

GEORGIA			
All counties			\$2.26

ILLINOIS			
Adams	\$2.27	Lee	\$2.28
Alexander	2.28	Livingston	2.30
Bond	2.29	Logan	2.30
Boone	2.28	McDonough	2.28
Brown	2.28	McHenry	2.29
Bureau	2.28	McLean	2.30
Calhoun	2.27	Macon	2.30
Carroll	2.26	Macoupin	2.29
Cass	2.29	Madison	2.28
Champaign	2.30	Marion	2.29
Christian	2.30	Marshall	2.30
Clark	2.30	Mason	2.29
Clay	2.29	Massac	2.24
Clinton	2.28	Menard	2.29
Coles	2.30	Mercer	2.26
Cook	2.31	Monroe	2.28
Crawford	2.29	Montgomery	2.29
Cumberland	2.30	Morgan	2.29
De Kalb	2.30	Moultrie	2.30
De Witt	2.30	Ogle	2.28
Douglas	2.30	Peoria	2.29
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Edgar	2.30	Platt	2.30
Edwards	2.26	Pike	2.27
Effingham	2.30	Pope	2.25
Fayette	2.30	Pulaski	2.26
Ford	2.30	Putnam	2.28
Franklin	2.26	Randolph	2.28
Fulton	2.28	Richland	2.28
Gallatin	2.25	Rock Island	2.26
Greene	2.28	St. Clair	2.28
Grundy	2.30	Saline	2.25
Hamilton	2.26	Sangamon	2.30
Hancock	2.27	Schuyler	2.28
Hardin	2.25	Scott	2.29
Henderson	2.26	Shelby	2.30
Henry	2.28	Stark	2.29
Iroquois	2.30	Stephenson	2.26
Jackson	2.28	Tazewell	2.30
Jasper	2.30	Union	2.28
Jefferson	2.27	Vermillion	2.30
Jersey	2.27	Wabash	2.26
Jo Daviess	2.26	Warren	2.28
Johnson	2.26	Washington	2.28
Kane	2.30	Wayne	2.27
Kankakee	2.30	White	2.25
Kendall	2.30	Whiteside	2.26
Knox	2.28	Will	2.31
Lake	2.30	Williamson	2.26
La Salle	2.30	Winnebago	2.27
Lawrence	2.27	Woodford	2.30

INDIANA			
Adams	\$2.26	Cass	\$2.26
Allen	2.27	Clark	2.22
Bartholomew	2.24	Clay	2.27
Benton	2.30	Clinton	2.26
Blackford	2.25	Crawford	2.22
Boone	2.26	Daviess	2.24
Brown	2.24	Dearborn	2.22
Carroll	2.26	Decatur	2.23

INDIANA—Continued			
County	Rate per Bushel	County	Rate per Bushel
De Kalb	\$2.27	Morgan	\$2.26
Delaware	2.25	Newton	2.30
Dubois	2.22	Noble	2.27
Elkhart	2.26	Ohio	2.22
Fayette	2.24	Orange	2.22
Floyd	2.23	Owen	2.26
Fountain	2.30	Parke	2.28
Franklin	2.23	Perry	2.22
Fulton	2.26	Pike	2.23
Gibson	2.25	Porter	2.30
Grant	2.25	Posey	2.24
Greene	2.26	Pulaski	2.28
Hamilton	2.26	Putnam	2.27
Hancock	2.25	Randolph	2.25
Harrison	2.22	Ripley	2.22
Hendricks	2.26	Rush	2.24
Henry	2.25	St. Joseph	2.27
Howard	2.25	Scott	2.22
Huntington	2.26	Shelby	2.25
Jackson	2.23	Spencer	2.23
Jasper	2.29	Starke	2.28
Jay	2.25	Steuben	2.27
Jefferson	2.22	Sullivan	2.27
Jennings	2.22	Switzerland	2.22
Johnson	2.25	Tippecanoe	2.28
Knox	2.25	Tipton	2.26
Kosciusko	2.26	Union	2.24
Lagrange	2.27	Vanderburgh	2.24
Lake	2.31	Vermillion	2.30
La Porte	2.28	Vigo	2.29
Lawrence	2.24	Wabash	2.25
Madison	2.25	Warren	2.30
Marion	2.26	Warrick	2.24
Marshall	2.26	Washington	2.22
Martin	2.24	Wayne	2.25
Miami	2.25	Wells	2.26
Monroe	2.25	White	2.28
Montgomery	2.27	Whitley	2.27

IOWA			
Adair	\$2.20	Howard	\$2.21
Adams	2.20	Humboldt	2.21
Allamakee	2.22	Ida	2.20
Appanoose	2.22	Iowa	2.24
Audubon	2.20	Jackson	2.26
Benton	2.24	Jasper	2.23
Black Hawk	2.22	Jefferson	2.24
Boone	2.21	Johnson	2.24
Bremer	2.21	Jones	2.25
Buchanan	2.23	Keokuk	2.24
Buena Vista	2.20	Kossuth	2.21
Butler	2.21	Lee	2.26
Calhoun	2.20	Linn	2.24
Carroll	2.20	Louisa	2.26
Cass	2.20	Lucas	2.22
Cedar	2.25	Lyon	2.19
Cerro Gordo	2.21	Madison	2.20
Cherokee	2.20	Mahaska	2.23
Chickasaw	2.21	Marion	2.22
Clarke	2.21	Marshall	2.23
Clay	2.20	Mills	2.19
Clayton	2.23	Mitchell	2.20
Clinton	2.26	Monona	2.19
Crawford	2.20	Monroe	2.22
Dallas	2.21	Montgomery	2.19
Davis	2.23	Muscatine	2.26
Decatur	2.21	O'Brien	2.20
Delaware	2.23	Osceola	2.20
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Dickinson	2.20	Palo Alto	2.20
Dubuque	2.24	Plymouth	2.19
Emmet	2.20	Pocahontas	2.20
Fayette	2.22	Polk	2.22
Floyd	2.20	Pottawattamie	2.19
Franklin	2.22	Poweshiek	2.24
Fremont	2.19	Ringgold	2.20
Greene	2.20	Sac	2.20
Grundy	2.22	Scott	2.26
Guthrie	2.20	Shelby	2.20
Hamilton	2.21	Sioux	2.19
Hancock	2.21	Story	2.22
Hardin	2.22	Tama	2.24
Harrison	2.19	Taylor	2.20
Henry	2.25		



IOWA—Continued

County	Rate per Bushel	County	Rate per Bushel
Union	\$2.20	Webster	\$2.21
Van Buren	2.25	Winnebago	2.21
Wapello	2.23	Winneshiek	2.22
Warren	2.21	Woodbury	2.19
Washington	2.25	Worth	2.21
Wayne	2.22	Wright	2.21

KANSAS

Allen	\$2.17	Linn	\$2.18
Anderson	2.17	Lyon	2.16
Atchison	2.19	Marion	2.15
Bourbon	2.18	Marshall	2.16
Brown	2.18	McPherson	2.14
Butler	2.15	Miami	2.18
Chase	2.15	Mitchell	2.13
Chautauqua	2.16	Montgomery	2.16
Cherokee	2.18	Morris	2.15
Clay	2.15	Nemaha	2.17
Cloud	2.14	Neosho	2.17
Coffey	2.16	Osage	2.16
Cowley	2.15	Ottawa	2.14
Crawford	2.18	Pottawatomie	2.17
Dickinson	2.15	Reno	2.13
Doniphan	2.19	Republic	2.14
Douglas	2.17	Rice	2.13
Elk	2.16	Riley	2.17
Ellsworth	2.13	Russell	2.13
Franklin	2.17	Saline	2.14
Geary	2.15	Sedgwick	2.14
Greenwood	2.16	Shawnee	2.17
Harper	2.13	Sumner	2.14
Harvey	2.14	Wabaunsee	2.16
Jackson	2.18	Washington	2.15
Jefferson	2.18	Wilson	2.16
Jewell	2.13	Woodson	2.16
Johnson	2.18	Wyandotte	2.19
Kingman	2.13	All other counties	2.12
Labette	2.17		
Leavenworth	2.19		
Lincoln	2.14		

KENTUCKY

Ballard	\$2.28	Hickman	\$2.28
Calloway	2.24	Livingston	2.24
Carlisle	2.28	McCracken	2.26
Crittenden	2.24	McLean	2.23
Davless	2.24	Marshall	2.24
Fulton	2.28	Union	2.24
Graves	2.26	Webster	2.23
Hancock	2.23	All other counties	2.22
Henderson	2.24		

LOUISIANA

Parish	Rate per Bushel	Parish	Rate per Bushel
Acadia	\$2.24	Lafourche	\$2.25
Allen	2.23	La Salle	2.25
Ascension	2.28	Lincoln	2.24
Assumption	2.25	Livingston	2.28
Avoynes	2.27	Madison	2.28
Beauregard	2.22	Morehouse	2.26
Bienville	2.23	Natchitoches	2.23
Bossier	2.22	Orleans	2.28
Caddo	2.22	Ouachita	2.25
Calcasieu	2.22	Plaquemines	2.28
Caldwell	2.25	Pointe Coupee	2.28
Cameron	2.22	Rapides	2.24
Catahoula	2.26	Red River	2.23
Claiborne	2.23	Richland	2.26
Concordia	2.28	Sabine	2.22
De Soto	2.22	St. Bernard	2.28
East Baton Rouge	2.28	St. Charles	2.28
East Carroll	2.28	St. Helena	2.25
East Feliciana	2.25	St. James	2.27
Evangeline	2.24	St. John the Baptist	2.28
Franklin	2.26	St. Landry	2.26
Grant	2.24	St. Martin	2.26
Iberia	2.25	St. Mary	2.25
Iberville	2.27	St. Tammany	2.25
Jackson	2.24	Tangipahoa	2.25
Jefferson	2.28	Tensas	2.28
Jefferson Davis	2.23	Terrebonne	2.25
Lafayette	2.25	Union	2.25
		Vermillion	2.24

LOUISIANA—Continued

Parish	Rate per Bushel	Parish	Rate per Bushel
Vernon	\$2.22	West Baton Rouge	\$2.28
Washington	2.25	West Carroll	2.27
Webster	2.23	West Feliciana	2.28
		Winn	2.24

MARYLAND

County	Rate per Bushel	County	Rate per Bushel
Anne Arundel	\$2.25	Prince Georges	\$2.25
Baltimore	2.25	Queen Annes	2.24
Calvert	2.25	St. Marys	2.24
Caroline	2.24	Somerset	2.24
Cecil	2.24	Talbot	2.24
Charles	2.24	Wicomico	2.25
Dorchester	2.24	Worcester	2.24
Hartford	2.25	All other counties	2.23
Howard	2.25		
Kent	2.24		

MICHIGAN

Allegan	\$2.20	Lapeer	\$2.21
Arenac	2.19	Lenawee	2.27
Barry	2.20	Livingston	2.22
Bay	2.19	Macomb	2.22
Berrien	2.25	Macosta	2.18
Branch	2.24	Midland	2.18
Calhoun	2.22	Monroe	2.28
Cass	2.25	Montcalm	2.19
Clare	2.18	Muskegon	2.18
Clinton	2.20	Newaygo	2.18
Eaton	2.21	Oakland	2.22
Genesee	2.21	Oceana	2.18
Gladwin	2.18	Ottawa	2.19
Gratiot	2.19	Saginaw	2.19
Hillsdale	2.25	St. Clair	2.21
Huron	2.19	St. Joseph	2.24
Ingham	2.22	Sanilac	2.20
Ionia	2.20	Shiawassee	2.20
Iosco	2.18	Tuscola	2.20
Isabella	2.18	Van Buren	2.22
Jackson	2.23	Washtenaw	2.24
Kalamazoo	2.21	Wayne	2.25
Kent	2.19		

MINNESOTA

Aitkin	\$2.15	Marshall	\$2.11
Anoka	2.22	Martin	2.21
Becker	2.14	Meeker	2.20
Beltrami	2.12	Mille Lacs	2.18
Benton	2.18	Morrison	2.16
Big Stone	2.17	Mower	2.22
Blue Earth	2.23	Murray	2.19
Brown	2.22	Nicollet	2.23
Carlton	2.17	Nobles	2.20
Carver	2.24	Norman	2.13
Cass	2.15	Olmsted	2.22
Chippewa	2.19	Otter Tail	2.14
Chisago	2.20	Pennington	2.12
Clay	2.14	Pine	2.18
Clearwater	2.13	Pipestone	2.18
Cottonwood	2.20	Polk	2.12
Crow Wing	2.15	Pope	2.17
Dakota	2.24	Ramsey	2.24
Dodge	2.22	Red Lake	2.12
Douglas	2.16	Redwood	2.20
Faribault	2.22	Renville	2.20
Fillmore	2.22	Rice	2.22
Freeborn	2.22	Rock	2.19
Goodhue	2.22	Roseau	2.11
Grant	2.16	Scott	2.24
Hennepin	2.24	Sherburne	2.21
Houston	2.22	Sibley	2.23
Hubbard	2.13	Stearns	2.18
Isanti	2.20	Steele	2.22
Jackson	2.20	Stevens	2.17
Kanabec	2.18	Swift	2.17
Kandiyohi	2.19	Todd	2.16
Kittson	2.11	Traverse	2.16
Lac Qui Parle	2.19	Wabasha	2.22
Le Sueur	2.23	Wadena	2.14
Lincoln	2.18	Waseca	2.22
Lyon	2.19	Washington	2.23
McLeod	2.22	Watsonwan	2.22
Mahnomen	2.13	Wilkin	2.14
		Winona	2.22

MINNESOTA—Continued

County	Rate per Bushel	County	Rate per Bushel
Wright	\$2.21	Yellow Medicine	\$2.20

MISSISSIPPI

Adams	\$2.28	Lee	\$2.26
Alcorn	2.26	Leflore	2.28
Amite	2.28	Lincoln	2.28
Benton	2.27	Madison	2.28
Bolivar	2.28	Marshall	2.28
Calhoun	2.28	Montgomery	2.28
Carroll	2.28	Panola	2.28
Claiborne	2.28	Prentiss	2.26
Coahoma	2.28	Quitman	2.28
Copiah	2.28	Sharkey	2.28
De Soto	2.28	Sunflower	2.28
Franklin	2.28	Tallahatchie	2.28
Grenada	2.28	Tate	2.28
Hancock	2.28	Tishomingo	2.26
Harrison	2.28	Tunica	2.28
Holmes	2.28	Warren	2.28
Hinds	2.28	Washington	2.28
Humphreys	2.28	Wilkinson	2.28
Issaquena	2.28	Yalobusha	2.28
Itawamba	2.26	Yazoo	2.28
Jackson	2.28	All other counties	2.27
Jefferson	2.28		
Lafayette	2.28		

MISSOURI

Adair	\$2.23	Lawrence	\$2.18
Andrew	2.20	Lewis	2.27
Atchison	2.20	Lincoln	2.27
Audrain	2.25	Linn	2.22
Barry	2.18	Livingston	2.21
Barton	2.18	McDonald	2.18
Bates	2.19	Macon	2.23
Benton	2.20	Madison	2.25
Bollinger	2.26	Maries	2.21
Boone	2.23	Marion	2.27
Buchanan	2.20	Mercer	2.21
Butler	2.27	Miller	2.21
Caldwell	2.20	Mississippi	2.28
Callaway	2.23	Moniteau	2.22
Camden	2.21	Monroe	2.25
Cape Girardeau	2.28	Montgomery	2.24
Carroll	2.21	Morgan	2.21
Carter	2.24	New Madrid	2.28
Cass	2.19	Newton	2.18
Cedar	2.18	Nodaway	2.20
Chariton	2.22	Oregon	2.24
Christian	2.19	Osage	2.22
Clark	2.27	Ozark	2.22
Clay	2.20	Pemiscot	2.28
Clinton	2.20	Perry	2.28
Cole	2.22	Pettis	2.21
Cooper	2.22	Phelps	2.21
Crawford	2.23	Pike	2.27
Dade	2.18	Platte	2.20
Dallas	2.20	Polk	2.20
Davies	2.20	Pulaski	2.21
De Kalb	2.20	Putnam	2.22
Dent	2.22	Ralls	2.27
Douglas	2.20	Randolph	2.23
Dunklin	2.28	Ray	2.20
Franklin	2.25	Reynolds	2.24
Gasconade	2.23	Ripley	2.26
Gentry	2.20	St. Charles	2.27
Greene	2.19	St. Clair	2.19
Grundy	2.21	St. Francois	2.25
Harrison	2.20	St. Louis	2.28
Henry	2.19	Ste. Genevieve	2.28
Hickory	2.20	Saline	2.21
Holt	2.20	Schuyler	2.23
Howard	2.22	Scotland	2.25
Howell	2.23	Scott	2.28
Iron	2.25	Shannon	2.22
Jackson	2.19	Shelby	2.25
Jasper	2.18	Stoddard	2.28
Jefferson	2.28	Stone	2.19
Johnson	2.19	Sullivan	2.22
Knox	2.25	Taney	2.20
Laclede	2.20	Texas	2.21
Lafayette	2.19	Vernon	2.18



## MISSOURI—Continued

County	Rate per Bushel	County	Rate per Bushel
Warren	\$2.25	Webster	\$2.20
Washington	2.25	Worth	2.20
Wayne	2.25	Wright	2.20

## NEBRASKA

Adams	\$2.12	Madison	\$2.15
Antelope	2.14	Merrick	2.13
Boone	2.13	Nance	2.13
Boyd	2.12	Nemaha	2.18
Burt	2.18	Nuckolls	2.13
Butler	2.16	Otoe	2.18
Cass	2.18	Pawnee	2.17
Cedar	2.15	Pierce	2.15
Clay	2.13	Platte	2.15
Colfax	2.16	Polk	2.15
Cuming	2.17	Richardson	2.18
Dakota	2.18	Saline	2.15
Dixon	2.17	Sarpy	2.18
Dodge	2.17	Saunders	2.17
Douglas	2.18	Seward	2.15
Fillmore	2.14	Stanton	2.16
Gage	2.16	Thayer	2.14
Greeley	2.12	Thurston	2.18
Hall	2.12	Washington	2.18
Hamilton	2.13	Wayne	2.16
Holt	2.12	Webster	2.12
Howard	2.12	Wheeler	2.12
Jefferson	2.15	York	2.14
Johnson	2.17	All other counties	2.11
Knox	2.15		
Lancaster	2.17		

## NEW JERSEY

Atlantic	\$2.21	Mercer	\$2.21
Burlington	2.22	Middlesex	2.21
Camden	2.23	Monmouth	2.21
Cape May	2.21	Ocean	2.21
Cumberland	2.23	Salem	2.24
Gloucester	2.24	Somerset	2.20
Hunterdon	2.20	Warren	2.20

## NEW MEXICO

All counties	\$2.11
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## NEW YORK

All counties	\$2.12
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## NORTH CAROLINA

Beaufort	\$2.28	Lee	\$2.25
Bertie	2.28	Lenoir	2.26
Bladen	2.24	Martin	2.28
Brunswick	2.24	Moore	2.24
Camden	2.28	Nash	2.27
Carteret	2.27	New Hanover	2.24
Chatham	2.25	Northampton	2.27
Chowan	2.28	Onslow	2.25
Columbus	2.24	Orange	2.24
Craven	2.27	Pamlico	2.27
Cumberland	2.24	Pasquotank	2.28
Currituck	2.28	Pender	2.24
Dare	2.28	Perquimans	2.28
Duplin	2.25	Pitt	2.27
Durham	2.25	Randolph	2.24
Edgecombe	2.28	Robeson	2.24
Franklin	2.26	Sampson	2.25
Gates	2.28	Scotland	2.24
Granville	2.24	Tyrrell	2.28
Greene	2.27	Vance	2.25
Halifax	2.27	Wake	2.26
Harnett	2.25	Warren	2.26
Hertford	2.28	Washington	2.28
Hoke	2.24	Wayne	2.26
Hyde	2.28	Wilson	2.27
Johnston	2.26	All other counties	2.23
Jones	2.26		

## NORTH DAKOTA

Barnes	\$2.10	Pembina	\$2.11
Cass	2.13	Sargent	2.11
Cavalier	2.09	Steele	2.10
Grand Forks	2.12	Towner	2.09
Griggs	2.09	Trall	2.12
Nelson	2.10	Walsh	2.11
Ramsey	2.09	All other counties	2.08
Ransom	2.11		
Richland	2.13		

## OHIO

County	Rate per Bushel	County	Rate per Bushel
Adams	\$2.22	Licking	\$2.24
Allen	2.29	Logan	2.28
Ashland	2.26	Lorain	2.27
Ashtabula	2.26	Lucas	2.31
Athens	2.22	Madison	2.24
Auglaize	2.28	Mahoning	2.24
Belmont	2.22	Marion	2.28
Brown	2.22	Madina	2.25
Butler	2.22	Meigs	2.22
Carroll	2.22	Mercer	2.27
Champaign	2.27	Miami	2.26
Clark	2.25	Monroe	2.22
Clermont	2.22	Montgomery	2.24
Clinton	2.22	Morgan	2.22
Columbiana	2.22	Morrow	2.27
Coshocton	2.23	Muskingum	2.22
Crawford	2.28	Noble	2.22
Cuyahoga	2.26	Ottawa	2.31
Darke	2.26	Paulding	2.28
Defiance	2.28	Perry	2.22
Delaware	2.26	Pickaway	2.22
Erie	2.29	Pike	2.22
Fairfield	2.22	Portage	2.25
Fayette	2.22	Preble	2.24
Franklin	2.24	Putnam	2.29
Fulton	2.30	Richland	2.27
Gallia	2.22	Ross	2.22
Geauga	2.26	Sandusky	2.30
Greene	2.24	Scioto	2.22
Guernsey	2.22	Seneca	2.29
Hamilton	2.22	Shelby	2.27
Hancock	2.29	Stark	2.24
Hardin	2.29	Summit	2.25
Harrison	2.22	Trumbull	2.25
Henry	2.30	Tuscarawas	2.22
Highland	2.22	Union	2.26
Hocking	2.22	Van Wert	2.28
Holmes	2.24	Vinton	2.22
Huron	2.29	Warren	2.22
Jackson	2.22	Washington	2.22
Jefferson	2.22	Wayne	2.25
Knox	2.25	Williams	2.28
Lake	2.26	Wood	2.30
Lawrence	2.22	Wyandot	2.28

## OKLAHOMA

Adair	\$2.18	Osage	\$2.13
Cherokee	2.17	Ottawa	2.18
Choctaw	2.16	Pittsburgh	2.14
Craig	2.17	Pushmataha	2.16
Delaware	2.18	Rogers	2.15
Haskell	2.16	Sequoyah	2.18
Latimer	2.16	Tulsa	2.14
LeFlore	2.18	Wagoner	2.15
McCurtain	2.18	Washington	2.14
McIntosh	2.14	All other counties	2.12
Mayes	2.17		
Muskogee	2.15		
Nowata	2.15		

## PENNSYLVANIA

All counties	\$2.18
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## SOUTH CAROLINA

Abbeville	\$2.24	Florence	\$2.25
Aiken	2.26	George-town	2.26
Allendale	2.27	Greenville	2.24
Anderson	2.24	Greenwood	2.25
Bamberg	2.27	Hampton	2.28
Barnwell	2.26	Horry	2.24
Beaufort	2.28	Jasper	2.28
Berkeley	2.28	Kershaw	2.25
Calhoun	2.27	Lancaster	2.24
Charleston	2.28	Laurens	2.25
Cherokee	2.24	Lee	2.25
Chester	2.25	Lexington	2.26
Chesterfield	2.24	Marion	2.24
Clarendon	2.27	Marlboro	2.24
Colleton	2.28	McCormick	2.25
Darlington	2.25	Newberry	2.25
Dillon	2.24	Oconee	2.24
Dorchester	2.28	Orangeburg	2.27
Edgefield	2.25	Pickens	2.24
Fairfield	2.25	Richland	2.26

## SOUTH CAROLINA—Continued

County	Rate per Bushel	County	Rate per Bushel
Saluda	\$2.25	Union	\$2.25
Spartanburg	2.24	Williamsburg	2.26
Sumter	2.26	York	2.24

## SOUTH DAKOTA

Bon Homme	\$2.15	Kingsbury	\$2.14
Brookings	2.17	Lake	2.15
Charles		Lincoln	2.18
Mix	2.13	Marshall	2.13
Clark	2.14	McCook	2.15
Clay	2.17	Miner	2.14
Codington	2.15	Minnehaha	2.18
Davison	2.13	Moody	2.17
Day	2.13	Roberts	2.15
Deuel	2.17	Sanborn	2.13
Douglas	2.13	Turner	2.16
Grant	2.17	Union	2.18
Hamlin	2.15	Yankton	2.15
Hanson	2.14	All other counties	2.12
Hutchinson	2.15		

## TENNESSEE

Carroll	\$2.23	Lake	\$2.28
Chester	2.23	Lauderdale	2.28
Crockett	2.26	McNairy	2.23
Dyer	2.28	Madison	2.24
Fayette	2.26	Obion	2.26
Gibson	2.26	Shelby	2.28
Hardeman	2.24	Tipton	2.28
Haywood	2.26	Weakley	2.24
Henderson	2.23	All other counties	2.22
Henry	2.23		

## TEXAS

Bowie	\$2.19	Montgomery	\$2.20
Brazoria	2.20	Newton	2.21
Calhoun	2.16	Orange	2.22
Cass	2.19	Polk	2.19
Chambers	2.22	Red River	2.18
Fort Bend	2.20	San Jacinto	2.19
Galveston	2.22	Tyler	2.19
Hardin	2.21	Waller	2.19
Harris	2.22	Washing-ton	2.17
Jackson	2.16	Wharton	2.18
Jasper	2.21	All other counties	2.14
Jefferson	2.22		
Lamar	2.17		
Liberty	2.23		
Matagorda	2.18		

## VIRGINIA

Accomac	\$2.25	Mathews	2.25
Amelia	2.24	Mecklenburg	2.24
Brunswick	2.26	Middlesex	2.25
Caroline	2.25	Nansemond	2.28
Charles City	2.25	New Kent	2.25
Chesapeake		Newport News	
City	2.28	City	2.25
Chesterfield	2.25	Northampton	2.25
Dinwiddie	2.26	Northum-berland	2.25
Essex	2.25	Nottoway	2.24
Gloucester	2.25	Powhatan	2.24
Goochland	2.24	Prince George	2.26
Greensville	2.26	Richmond	2.25
Hampton		Southampton	2.27
City	2.25	Surrey	2.28
Hanover	2.26	Sussex	2.26
Henrico	2.25	Virginia	
Isle of Wight	2.28	Beach	2.28
James City	2.25	Warwick	2.25
King and Queen	2.25	Westmore-land	2.25
King George	2.25	York	2.25
King William	2.25	All other counties	2.23
Lancaster	2.25		
Lunenburg	2.24		

## WEST VIRGINIA

All counties	\$2.20
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## WISCONSIN

Adams	\$2.19	Calumet	\$2.19
Barron	2.17	Chippewa	2.17
Brown	2.18	Clark	2.17
Buffalo	2.18	Columbia	2.22
Burnette	2.16	Crawford	2.21



WISCONSIN—Continued

County	Rate per Bushel	County	Rate per Bushel
Dane	\$2.23	Outagamie	\$2.18
Dodge	2.23	Ozaukee	2.23
Door	2.17	Pepin	2.18
Douglas	2.16	Pierce	2.18
Dunn	2.18	Polk	2.17
Eau Claire	2.18	Portage	2.18
Fond du Lac	2.21	Price	2.16
Grant	2.22	Racine	2.25
Green	2.24	Richland	2.21
Green Lake	2.20	Rock	2.25
Iowa	2.22	Rusk	2.16
Jackson	2.19	St. Croix	2.17
Jefferson	2.24	Sauk	2.21
Juneau	2.19	Sawyer	2.16
Kenosha	2.26	Shawano	2.18
Kewaunee	2.17	Sheboygan	2.21
La Crosse	2.19	Taylor	2.16
Lafayette	2.23	Trempealeau	2.18
Langlade	2.17	Vernon	2.20
Lincoln	2.16	Walworth	2.25
Manitowoc	2.19	Washburn	2.16
Marathon	2.17	Washington	2.23
Marquette	2.17	Waukesha	2.24
Marquette	2.20	Waupaca	2.18
Millwaukee	2.24	Waushara	2.19
Monroe	2.19	Winnebago	2.19
Oconto	2.18	Wood	2.18
Oneida	2.16		

(b) Premium—Low moisture.

Percent:	Cents per bushel
12.2 or less	+2
12.3 through 12.7	+1
12.8 through 13.0	0

(c) Discounts—(1) Class.

Class:	Cents per bushel
Black	-25
Brown	-25
Mixed	-25

(2) Moisture.

Percent:	Cents per bushel
13.1 through 13.5	-1
13.6 through 14.0	-2

(3) Test weight per bushel.

Pounds:	Cents per bushel
53.0 through 53.9	-1/2
52.0 through 52.9	-1
51.0 through 51.9	-1 1/2
50.0 through 50.9	-2
49.0 through 49.9	-2 1/2

(4) Splits.

Percent:	Cents per bushel
20.1 through 25.0	-1/4
25.1 through 30.0	-1/2
30.1 through 35.0	-3/4
35.1 through 40.0	-1

(5) Damaged kernels.<sup>1</sup>

Heat (percent):	Cents per bushel
0.6 through 1.0	-1
1.1 through 1.5	-2
1.6 through 2.0	-3
2.1 through 2.5	-4
2.6 through 3.0	-5

Total (percent):	Cents per bushel
2.1 through 3.0	-1/2
3.1 through 4.0	-1
4.1 through 5.0	-1 1/2
5.1 through 6.0	-2
6.1 through 7.0	-2 1/2
7.1 through 8.0	-3

<sup>1</sup> Use column which yields the higher applicable discount.

- (6) Materially weathered----- -5  
 (7) Stained----- -2  
 (8) Purple mottled----- -2  
 (9) Weed control laws. (Where required by § 1421.25)----- -10  
 (10) Other factors. Amounts determined by CCC to represent market discounts for quality factors not specified above which affect the value of the soybeans, such as (but not limited to) moisture, musty, sour, and heating. Such discounts will be established not later than the time delivery of soybeans to CCC begins and will thereafter be adjusted from time to time as CCC determines appropriate to reflect changes in market conditions. Producers may obtain schedules of such factors and discounts at county ASCS offices approximately 1 month prior to the loan maturity date.

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on August 4, 1970.

KENNETH E. FRICK,  
 Executive Vice President,  
 Commodity Credit Corporation.

[F.R. Doc. 70-10444; Filed, Aug. 12, 1970; 8:45 a.m.]

## Title 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—Agricultural Research Service, Department of Agriculture

#### SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

[Docket No. 70-238]

#### PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

##### Maryland; Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

In § 76.2, the introductory portion of paragraph (e) is amended by adding the name of the State of Maryland; paragraph (f) is amended by deleting the name of the State of Maryland and a new paragraph (e) (7) relating to the State of Maryland is added to read:

(7) *Maryland.* The adjacent portions of Charles and Prince Georges Counties bounded by a line beginning at the junction of Maryland Highways 210 and 225 in Charles County; thence, following Maryland Highway 210 in a generally northeasterly direction to Interstate Highway 495; thence, following Inter-

state Highway 495 in a northeasterly direction to Maryland Highway 5; thence, following Maryland Highway 5 in a southeasterly direction to Maryland Highway 381; thence, following Maryland Highway 381 in a generally southeasterly direction to Maryland Highway 231; thence, following Maryland Highway 231 in a generally southwesterly direction to Maryland Highway 5; thence, following Maryland Highway 5 in a northwesterly direction to Maryland Highway 488; thence, following Maryland Highway 488 in a southwesterly direction to Maryland Highway 6; thence, following Maryland Highway 6 in a generally southwesterly direction to U.S. Highway 301; thence, following U.S. Highway 301 in a northerly direction to Maryland Highway 225; thence, following Maryland Highway 225 in a generally northwesterly direction to its junction with Maryland Highway 210 in Charles County.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210, as amended)

*Effective date.* The foregoing amendment shall become effective upon issuance.

The amendment quarantines portions of Charles and Prince Georges Counties in Maryland because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to the quarantined areas designated herein. Further, the amendment deletes the State of Maryland from the list of hog cholera eradication States in § 76.2(f).

The amendment imposes certain further restrictions necessary to prevent the interstate spread of hog cholera and must be made effective immediately to accomplish its purpose in the public interest. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 7th day of August 1970.

F. R. MANGHAM,  
 Acting Administrator,  
 Agricultural Research Service.

[F.R. Doc. 70-10554; Filed, Aug. 12, 1970; 8:45 a.m.]

#### PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

##### Serum Prophylaxis

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of



February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, relating to hog cholera and other communicable swine diseases, is hereby amended as follows:

#### § 76.9 [Amended]

1. Paragraphs (b) and (c) of § 76.9 are hereby deleted.

2. A new § 76.12 is added to Part 76 to read:

#### § 76.12 Serum prophylaxis treatment of swine.

Notwithstanding any other provision of the regulations in this part, swine moved under the provisions of this part are not required to have received official serum prophylaxis; however, if such swine do receive serum prophylaxis with either anti-hog-cholera serum or hog cholera antibody concentrate prior to interstate movement, they shall be inoculated with anti-hog-cholera serum or hog cholera antibody concentrate prepared under license from the Secretary and they shall meet all other applicable provisions of this part and the dosage of serum or antibody concentrate shall be as follows: Permitted dosage of anti-hog-cholera serum or hog cholera antibody concentrate.

Weight of swine (pounds)	Minimum dose of serum (cubic centimeters)	Minimum dose of antibody concentrate (cubic centimeters)
Under 20.....	20	10
20-40.....	30	15
40-60.....	35	18
60-120.....	45	23
120-150.....	55	28
150-180.....	65	33
Over 180.....	75	38

NOTE: Except for swine under 30 pounds in weight, the dosage of serum should not exceed 1 cc. per pound body weight, or ½ cc. per pound body weight if antibody concentrate is used.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210, as amended)

**Effective date.** The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER.

Under the provisions of the foregoing amendment, present requirements for official serum prophylaxis is withdrawn. However, shippers may continue to inoculate swine with serum if they desire. If the swine are inoculated, an increased dosage would have to be used as specified in the new § 76.12.

The amendment relieves certain restrictions presently imposed and must be made effective immediately to be of maximum benefit to affected persons. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and unnecessary, and good cause is found

for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 10th day of August 1970.

GEORGE W. IRVING, JR.,  
Administrator,  
Agricultural Research Service.

[F.R. Doc. 70-10612; Filed, Aug. 12, 1970; 8:49 a.m.]

## Title 12—BANKS AND BANKING

### Chapter V—Federal Home Loan Bank Board

#### SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 70-94]

#### PART 545—OPERATIONS

#### PART 555—BOARD RULINGS

#### Services Rendered by Federal Savings and Loan Associations

AUGUST 4, 1970.

Resolved that, notice and public procedure having been duly afforded (34 F.R. 13481) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration, determines to amend Parts 545 and 555 of the rules and regulations for the Federal Savings and Loan System (12 CFR Parts 545 and 555) for the following purposes:

1. To implement the last sentence of subsection (b) (1) of section 5 of the Home Owners' Loan Act of 1933 as added by section 1716 of the Housing and Urban Development Act of 1968, Public Law 90-448, 90th Congress, approved August 1, 1968, by providing for the withdrawal or transfer of savings accounts in Federal savings and loan associations upon non-transferable order or authorization.

2. In order to increase the effectiveness of Federal savings and loan associations in encouraging thrift by making their facilities available to the public generally, to authorize such association to provide for the sale of checks, including travelers checks and money orders, thereby extending the scope of such activity previously permissible under the ruling referred to in item 3 hereof.

3. To revoke an existing ruling in paragraph (d) of § 555.8 of said Part 555 which would be supplanted by the regulation amendments herein.

Accordingly, the Federal Home Loan Bank Board hereby amends said Parts 545 and 555 as follows, effective September 14, 1970:

1. Part 545 is amended by adding a new § 545.4-1, immediately after § 545.4 to read as follows:

§ 545.4-1 Payments to third parties by withdrawals or transfer of savings accounts; checks and money orders.

(a) *Withdrawals and transfers.* Savings accounts in a Federal association shall not be subject to check or to with-

drawal or transfer on negotiable or transferable order or authorization to the association. However, withdrawal requests may be in the form of nontransferable orders or authorizations to the association for the payment of amounts in savings accounts to third parties periodically or otherwise. Any such order or authorization which may be honored as a withdrawal request for payment to a third party may, if so authorized by the third party, also be honored as a transfer to a savings account of such third party. The association may charge a fee for its services in making any payment or transfer pursuant to this section. Any form for such orders or authorizations shall contain language in boldface type of reasonable size to the effect that the order or authorization is not negotiable or transferable.

(b) *Sale of checks and money orders.* As an incident to its principal activities and for the convenience of its members and others, a Federal association may provide for the sale of checks, including travelers checks, and money orders on which the drawee is a Federal Home Loan Bank, commercial bank, or other organization engaged in the business of handling such instruments.

#### § 555.8 [Amended]

2. Part 555 is amended by revoking paragraph (d) of § 555.8.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464, Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,  
Secretary.

[F.R. Doc. 70-10595; Filed, Aug. 12, 1970; 8:48 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 67-SW-68; Amdt. 39-1063]

#### PART 39—AIRWORTHINESS DIRECTIVES

#### Bell Model 47 Series Helicopters

Amendment 39-983 (35 F.R. 7006), AD 70-10-8 clarified certain inspection and blade replacement requirements on Bell Model 47 Series Helicopters by superseding Amendment 39-546, AD 68-2-3. After issuing Amendment 39-983, the agency determined that an error was made in the applicability statement by not stating that the Model 47 Series Helicopters certificated in all categories are affected by the AD. Therefore, the AD is being amended to apply to all Model 47 Series Helicopters certificated in all categories. This agency included restricted category helicopters in the applicability statement of Amendment 39-546, AD 68-2-3 and it was intended to



include restricted category helicopters in Amendment 39-983, AD 70-10-8 as noted in the preamble of that amendment. Since this amendment provides clarification only and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-983 (35 F.R. 7006), AD 70-10-8 is amended by adding a revised applicability statement as follows:

**BELL.** Applies to all Model 47 Series helicopters certificated in all categories, equipped with metal tail rotor blades, P/N 47-642-102 and to all other helicopters equipped with metal tail rotor blades, P/N 47-642-102.

This amendment becomes effective August 15, 1970.

(Secs. 312(2), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Fort Worth, Tex., on July 31, 1970.

HENRY L. NEWMAN,  
Director, Southwest Region.

[F.R. Doc. 70-10590; Filed, Aug. 12, 1970; 8:48 a.m.]

[Docket No. 10364; Amdt. 39-1066]

#### PART 39—AIRWORTHINESS DIRECTIVES

##### Morane Saulnier Models MS. 880B, MS. 885, and MS. 894A Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive (AD) requiring modification of the fuel system to install flexible fuel lines between the engine pump and the carburetor and in the fuel pressure system on Morane Saulnier Models MS. 880B, MS. 885, and MS. 894A airplanes was published in the FEDERAL REGISTER, 35 F.R. 9216.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

**MORANE SAULNIER.** Applies to Models MS. 880B, MS. 885, and MS. 894A airplanes. To prevent possible fires resulting from leaks in the fuel system, within the next 50 hours' time in service after the effective date of this AD, unless already accomplished, modify the fuel system by installing flexible fuel lines between the engine pump and the carburetor and in the fuel pressure system in accordance with Parts 2 and 3 of SOCAT Service Bulletin No. 56, dated December 1968, or later SGAC-approved issue or an FAA-approved equivalent.

This amendment becomes effective September 12, 1970.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on August 6, 1970.

R. S. SLIFF,  
Acting Director,  
Flight Standards Service.

[F.R. Doc. 70-10587; Filed, Aug. 12, 1970; 8:48 a.m.]

[Docket No. 10363; Amdt. 39-1067]

#### PART 39—AIRWORTHINESS DIRECTIVES

##### Morane Saulnier Models MS. 880B, MS. 885, and MS. 894A Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring modification of the battery box to install an insulation plate, inspection of the battery cable for damage, and replacement of cables found to be damaged on Morane Saulnier Models MS. 880B, MS. 885, and MS. 894A airplanes was published in the FEDERAL REGISTER, 35 F.R. 9216.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR § 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

**MORANE SAULNIER.** Applies to Models MS. 880B, MS. 885, and MS. 894A airplanes.

To prevent a possible fire resulting from contact between the terminal components of the battery cable and the battery box, within the next 100 hours' time in service after the effective date of this AD, unless already accomplished, accomplish the following:

(a) Modify the battery box by installing an insulating plate in accordance with Socata Service Bulletin No. 68 dated November 1969 or later SGAC-approved issue or an FAA-approved equivalent.

(b) Inspect the battery cables in the area of the battery box for damage due to wear against the battery box.

(c) If the battery cable is found to be damaged during the inspection required by paragraph (b), before further flight replace the cable with a serviceable cable of the same part number.

This amendment becomes effective September 12, 1970.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on August 6, 1970.

R. S. SLIFF,  
Acting Director,  
Flight Standards Service.

[F.R. Doc. 70-10588; Filed, Aug. 12, 1970; 8:48 a.m.]

[Docket No. 10365; Amdt. 39-1068]

#### PART 39—AIRWORTHINESS DIRECTIVES

##### Morane Saulnier Models MS. 880B, MS. 885, and MS. 894A Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring replacement of the existing firewall sealant with an approved fire-resistant sealant on Morane Saulnier Models MS. 880B, MS. 885, and MS. 894A airplanes was published in the FEDERAL REGISTER, 35 F.R. 9217.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR § 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

**MORANE SAULNIER.** Applies to Models MS. 880B, MS. 885, and MS. 894A airplanes.

To prevent the possibility of flames or harmful gases passing into the cabin from the engine compartment, within the next 100 hours' time in service after the effective date of this AD, unless already accomplished, replace the existing firewall sealant with "STABOND HT-4", Specification LAC-40-475 fire-resistant sealant manufactured by American Latex Product Corp., or other FAA-approved fire-resistant sealant.

This amendment becomes effective September 12, 1970.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on August 6, 1970.

R. S. SLIFF,  
Acting Director,  
Flight Standards Service.

[F.R. Doc. 70-10589; Filed, Aug. 12, 1970; 8:48 a.m.]

[Airspace Docket No. 69-PC-10]

#### PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

##### Alteration of Control Zone and Transition Area

On May 21, 1970, a notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 7815) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Lihue, Hawaii, control zone and transition area.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. No objections were received.



In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., October 15, 1970, as hereinafter set forth.

1. In § 71.171 (35 F.R. 2054) the Lihue, Hawaii, control zone is amended to read as follows:

#### LIHUE, HAWAII

Within a 5-mile radius of Lihue Airport (lat. 21°58'55" N., long. 159°20'40" W.) and within 2 miles each side of the Lihue VORTAC 130° radial, extending from the 5-mile radius zone to 9 miles southeast of the VORTAC.

2. In § 71.181 (35 F.R. 2134) the Lihue, Hawaii, transition area is amended to read as follows:

#### LIHUE, HAWAII

That airspace extending upward from 700 feet above the surface within the arc of an 8.5-mile radius circle centered on the Lihue Airport (lat. 21°58'55" N., long. 159°20'40" W.), extending clockwise from a line 2 miles west of and parallel to the Lihue VORTAC 021° radial to a line 2 miles northeast of and parallel to the Lihue VORTAC 130° radial and within 2 miles each side of the Lihue VORTAC 130° radial, extending from 9 miles southeast to 10.5 miles southeast of the Lihue VORTAC; and that airspace extending upward from 1,200 feet above the surface within the arc of a 25-mile radius circle centered on the Lihue VORTAC, extending clockwise from a line 5 miles west of and parallel to the Lihue VORTAC 021° radial to V-2, excluding the portion within W-511.

(Secs. 307(a), 1110, Federal Aviation Act of 1958, 49 U.S.C. 1348, 1510; Executive Order 10854, 24 F.R. 9565; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on August 5, 1970.

H. B. HELSTROM,  
Chief, Airspace and Air  
Traffic Rules Division.

[F.R. Doc. 70-10580; Filed, Aug. 12, 1970;  
8:47 a.m.]

[Airspace Docket No. 69-PC-13]

## PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

### Alteration of Control Zone and Transition Area

On May 21, 1970, a notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 7816) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the control zone and transition area at Kahului, Maui, Hawaii.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. No objections were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., October 15, 1970, as hereinafter set forth.

1. In § 71.171 (35 F.R. 2054) the Kahului, Hawaii, control zone is amended to read as follows:

#### KAHULUI, HAWAII

Within a 5-mile radius of Kahului Airport (lat. 20°54'05" N., long. 156°26'05" W.); within 4 miles each side of the Maui VORTAC 038° radial, extending from the 5-mile radius zone to 14 miles northeast of the VORTAC; within 2 miles each side of the Maui VORTAC 201° radial, extending from the 5-mile radius zone to 11 miles south of the VORTAC and within 2 miles each side of the extended centerline of Runway 2/20, extending from the 5-mile radius zone to 11 miles south of the VORTAC.

2. Section 71.181 (35 F.R. 2134) is amended as follows: In the Kahului, Hawaii, transition area, all preceding the phrase "and that airspace extending upward from 1,200 feet" is deleted and the phrase "That airspace extending upward from 700 feet above the surface bounded on the southwest by a line 2 miles southwest of and parallel to the Maui VORTAC 331° radial, on the north by the arc of an 8.5-mile radius circle centered on the Kahului Airport (lat. 20°54'05" N., long. 156°26'05" W.), on the southeast by a line 4 miles northwest of and parallel to the Maui VORTAC 038° radial and on the south by the arc of a 5-mile radius circle centered on the Kahului Airport, and within 4 miles each side of the Maui VORTAC 038° radial, extending from 14 to 17 miles northeast of the VORTAC;" is substituted therefor.

(Secs. 307(a), 1110, Federal Aviation Act of 1958, 49 U.S.C. 1348, 1510; Executive Order 10854, 24 F.R. 9565; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on August 5, 1970.

H. B. HELSTROM,  
Chief, Airspace and Air  
Traffic Rules Division.

[F.R. Doc. 70-10581; Filed, Aug. 12, 1970;  
8:47 a.m.]

[Airspace Docket No. 69-WA-32]

## PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

### Designation of Terminal Control Area

On May 21, 1970, F.R. Doc. 70-6328 was published in the FEDERAL REGISTER (35 F.R. 7784) which amended Part 71 of the Federal Aviation Regulations, effective 0901 G.m.t., June 25, 1970, by designating the Atlanta, Ga., terminal control area. Subsequent to the publication of the document, several minor discrepancies were noted in the boundary description, and action is taken herein to amend the description.

Since this amendment is minor in nature and no substantive change in the regulation is effected, notice and public procedure thereon are unnecessary, and good cause exists for making this amendment effective on less than 30 days notice.

In consideration of the foregoing, F.R. Doc. 70-6328 is amended, effective upon publication in the FEDERAL REGISTER, as follows:

1. In Area A, "267° M radial" is changed to read "268° radial" and "178° M radial" is changed to read "179° radial".

2. In Area C, "090° M radial" is changed to read "091° radial" "270° M and 090° M radials" is changed to read "271° and 091° radials" and "178° M radial" is changed to read "179° radial".

3. In Area D, "excluding the Dobbins AFB control zone and the area north of the 259° M radial of Norcross VOR" is deleted and "excluding that area described as the Dobbins AFB control zone and the area north of the 260° radial of Norcross VOR east of the Dobbins AFB control zone" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on August 5, 1970.

H. B. HELSTROM,  
Chief, Airspace and Air  
Traffic Rules Division.

[F.R. Doc. 70-10582; Filed, Aug. 12, 1970;  
8:47 a.m.]

[Airspace Docket No. 70-CE-46]

## PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

### Designation of Federal Airway

On June 13, 1970, a notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 9292) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a VOR Federal airway from Muskegon, Mich., to Manistee, Mich.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., October 15, 1970, as hereinafter set forth.

In § 71.123 (35 F.R. 2009) the following VOR Federal airway is added:

V-271 From Muskegon, Mich., to Manistee, Mich.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on August 6, 1970.

H. B. HELSTROM,  
Chief, Airspace and Air  
Traffic Rules Division.

[F.R. Doc. 70-10583; Filed, Aug. 12, 1970;  
8:48 a.m.]



[Airspace Docket No. 70-CE-39]

# **PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS**

## **Alteration of Federal Airway Segment**

On June 13, 1970, a notice of proposed rule making was published in the *FEDERAL REGISTER* (35 F.R. 9292) stating that the Federal Aviation Administration was proposing an amendment to Part 71 of the Federal Aviation Regulations that would alter V-430 between Minot, N. Dak., and Devils Lake, N. Dak.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., October 15, 1970, as hereinafter set forth.

Section 71.123 (35 F.R. 2009) is amended as follows:

In V-430, all between "Minot, N. Dak.;" and "Grand Forks, N. Dak.;" is deleted and "Devils Lake, N. Dak.;" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on August 6, 1970.

H. B. HELSTROM,  
Chief, Airspace and Air  
Traffic Rules Division.

[F.R. Doc. 70-10584; Filed, Aug. 12, 1970;  
8:48 a.m.]

# **Title 15—COMMERCE AND FOREIGN TRADE**

## **Chapter III—Bureau of International Commerce, Department of Commerce**

### **SUBCHAPTER B—EXPORT REGULATIONS**

[13th Gen. Rev. of the Export Regs., Amdt. 6]

## **PART 377—SHORT SUPPLY CONTROLS**

### **Copper and Copper Products**

Section 377.3(b) (2) is amended by revising the last sentence of subdivision (ii) as follows:

§ 377.3 Copper and copper products.

(b) Copper and copper-base alloy waste and certain nickel scrap. \* \* \*

(2) \* \* \* To be considered for approval under this subdivision an application shall be submitted not later than August 31, 1970; shall be accompanied by the documentation listed in (a) through (e) of paragraph (a) (2) (ii) of this section; and shall include, in addition, the following:

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959-1963 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959-1963 Comp.)

Effective date: July 30, 1970.

RAUER H. MEYER,  
Director, Office of Export Control.

[F.R. Doc. 70-10557; Filed, Aug. 12, 1970;  
8:45 a.m.]

# **Title 16—COMMERCIAL PRACTICES**

## **Chapter I—Federal Trade Commission**

[Docket No. C-1753]

## **PART 13—PROHIBITED TRADE PRACTICES**

### **Alfred Shaheen, Ltd., et al.**

Subpart—Furnishing false guaranties: § 13.1053 *Furnishing false guaranties*; § 13.1053-30 *Flammable Fabrics Act. Subpart—Importing, selling, or transporting flammable wear*; § 13.1060 *Importing, selling, or transporting flammable wear*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 67 Stat. 111, as amended; 15 U.S.C. 45, 1191) [Cease and desist order, Alfred Shaheen, Ltd., et al., Honolulu, Hawaii, Docket C-1753, June 24, 1970]

*In the Matter of Alfred Shaheen, Ltd., a Corporation, and Alfred G. Shaheen, Kenneth Goto, and Hazel Tanaka, Individually and as Officers of Said Corporation*

Consent order requiring a Honolulu, Hawaii, manufacturer and importer of women's and misses' wearing apparel to cease dealing in any product, fabric, or related material which fails to meet the standards promulgated under the Flammable Fabrics Act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That the respondents Alfred Shaheen, Ltd., a corporation, and its officers, and Alfred G. Shaheen, Kenneth Goto, and Hazel Tanaka, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from manufacturing for sale, selling, offering for sale, in commerce, or importing into the United States, or introducing, delivering for introduction, transporting or causing to be transported in commerce, or selling or delivering after sale or shipment in commerce, any product, fabric, or related material as "commerce," "product," "fabric," and "related material" are defined in the Flammable Fabrics Act, as amended, which product, fabric or related material fails to conform to an applicable standard or regulation continued in effect, issued or amended under the provisions of the aforesaid Act.

It is further ordered, That respondents herein shall, within ten (10) days after service upon them of this order, file with

the Commission an interim special report in writing setting forth the respondents' intention as to compliance with this order. This interim special report shall also advise the Commission fully and specifically concerning the identity of the product which gave rise to the complaint, (1) the amount of such product in inventory, (2) any action taken to notify customers of the flammability of such product and the results thereof and (3) any disposition of such product since September 1969. Such report shall further inform the Commission whether respondents have in inventory any other fabric, product or related material having a plain surface and made of silk, rayon and acetate, nylon and acetate, rayon or cotton or combinations thereof in a weight of 2 ounces or less per square yard or with a raised fiber surface and made of cotton or rayon or combinations thereof. Respondents will submit samples of any such fabric, product or related material with this report.

It is further ordered, That respondents Alfred Shaheen, Ltd., a corporation, and its officers, and Alfred G. Shaheen, Kenneth Goto, and Hazel Tanaka, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from furnishing a guaranty as set forth in section 8(a) of the Flammable Fabrics Act, as amended, with respect to any product, fabric or related material which guaranty is false and when respondents have reason to believe that such product, fabric or related material may be introduced, sold, or transported in commerce.

It is further ordered, That the respondents herein either process the fabrics which gave rise to this complaint and any wearing apparel made from said fabrics so as to bring them within the applicable flammability standards of the Flammable Fabrics Act, as amended, or destroy said fabrics or any wearing apparel made therefrom.

It is further ordered, That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent such as dissolution, assignment, or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which, they complied with this order.

Issued: June 24, 1970.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 70-10566; Filed, Aug. 12, 1970;  
8:46 a.m.]



[Docket No. C-1762]

**PART 13—PROHIBITED TRADE PRACTICES****Amtel, Inc., et al.**

Subpart—Importing, selling, or transporting flammable wear: § 13.1060 *Importing, selling, or transporting flammable wear.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 67 Stat. 111, as amended; 15 U.S.C. 45, 1191) [Cease and desist order, Amtel, Inc., et al., Providence, R.I., Docket C-1762, July 13, 1970]

*In the Matter of Amtel, Inc., a Corporation, Trading as Goldfarb Novelty Division of Amtel, Inc., and Joshua A. Rothstein, Joseph Young, and Solomon J. Halpern, Individually and as Officers of a Division of the Said Corporation, and Eman O. Carles, as Chief Buyer of the Division*

Consent order requiring a Providence, R.I., importer and wholesaler of souvenirs, novelties, and gift wares, including scarves and T-shirts, to cease and desist from importing, selling, or transporting flammable wear.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered*, That respondents Amtel, Inc., a corporation, trading as Goldfarb Novelty Division of Amtel, Inc., and Joshua A. Rothstein, Joseph Young, and Solomon J. Halpern, individually and as officers of a division of the said corporation, and Eman O. Carles, individually and as chief buyer of the division, and respondents' representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from manufacturing for sale, selling, offering for sale, in commerce, or importing into the United States, or introducing, delivering for introduction, transporting or causing to be transported in commerce, or selling or delivering after sale or shipment in commerce; any fabric, product or related material as "commerce," "fabric," "product," and "related material" are defined in the Flammable Fabrics Act, as amended, which fails to conform to an applicable standard or regulation continued in effect, issued or amended under the provisions of the aforesaid Act.

*It is further ordered*, That the respondents herein shall, within ten (10) days after service upon them of this order, file with the Commission an interim special report in writing setting forth the respondents' intention as to compliance with this order. This interim special report shall also advise the Commission fully and specifically concerning the identity of the fabric, product or related material which gave rise to the complaint, (1) the amount of such fabric, product or related material in inventory, (2) any action taken to notify customers of the flammability of such fabric, product or related material and the results thereof and (3) any disposi-

tion of such fabric, product or related material since June 3, 1969. Such report shall further inform the Commission whether respondents have in inventory any fabric, product or related material having a plain surface and made of silk, rayon or cotton or combinations thereof in a weight of 2 ounces or less per square yard or fabric with a raised fiber surface made of cotton or rayon or combinations thereof. Respondents will submit samples of any such fabric, product or related material with this report.

*It is further ordered*, That the respondents herein either process the products which gave rise to this complaint so as to bring them within the applicable standards of the Flammable Fabrics Act, as amended, or destroy said products.

*It is further ordered*, That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation of dissolution of subsidiaries or other change in the corporation which may affect compliance obligations arising out of the order.

*It is further ordered*, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

*It is further ordered*, That respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: July 13, 1970.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 70-10574; Filed, Aug. 12, 1970;  
8:47 a.m.]

[Docket No. C-1764]

**PART 13—PROHIBITED TRADE PRACTICES****Herman Bader and M. Bader & Son**

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*: 13.1108-45 Fur Products Labeling Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: 13.1185-30 Fur Products Labeling Act: § 13.1212 *Formal regulatory and statutory requirements*: 13.1212-30 Fur Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*: 13.1852-35 Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Herman Bader et al., Philadelphia, Pa., Docket C-1764, July 13, 1970]

*In the Matter of Herman Bader, an Individual Trading as M. Bader & Son*

Consent order requiring a Philadelphia, Pa., manufacturer, wholesaler and retailer of furs to cease and desist from misbranding and falsely invoicing its fur products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered*, That respondent Herman Bader, individually and trading as M. Bader & Son or under any other trade name, and respondent's representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce; or in connection with the introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur, as the terms "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding any fur product by:

1. Representing directly or by implication on a label that the fur contained in such fur product is natural when such fur is pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.
2. Failing to affix a label to such fur product showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

B. Falsely or deceptively invoicing any fur or fur product by:

1. Failing to furnish an invoice, as the terms "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.
2. Representing, directly or by implication, on an invoice that the fur or the fur contained in such fur product is natural when such fur is pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

*It is further ordered*, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report, in writing setting forth in detail the manner and form in which he has complied with this order.

Issued: July 13, 1970.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 70-10576; Filed, Aug. 12, 1970;  
8:47 a.m.]



[Docket No. C-1752]

**PART 13—PROHIBITED TRADE PRACTICES**

**David A. Leventhal, Inc., and David A. Leventhal**

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*; 13.1108-45 *Fur Products Labeling Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*; 13.1852-35 *Fur Products Labeling Act*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, David A. Leventhal, Inc., et al., New York, N.Y., Docket C-1752, June 24, 1970]

*In the Matter of David A. Leventhal, Inc., a Corporation, and David A. Leventhal, Individually and as an Officer of Said Corporation*

Consent order requiring a New York City manufacturing furrier to cease falsely invoicing its fur products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered*, That respondents David A. Leventhal, Inc., a corporation, and its officers, and David A. Leventhal, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation or distribution of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

*It is further ordered*, That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries, or any other changes in the corporation which may affect compliance obligations arising out of this order.

*It is further ordered*, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

*It is further ordered*, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: June 24, 1970.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 70-10565; Filed, Aug. 12, 1970; 8:46 a.m.]

[Docket No. C-1754]

**PART 13—PROHIBITED TRADE PRACTICES**

**Dutch American Fur Corp. and Eric Roll**

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*; 13.1108-45 *Fur Products Labeling Act*. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*; 13.1185-30 *Fur Products Labeling Act*; § 13.1212 *Formal regulatory and statutory requirements*; 13.1212-30 *Fur Products Labeling Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*; 13.1852-35 *Fur Products Labeling Act*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Dutch American Fur Corp. et al., New York, N.Y., Docket C-1754, June 24, 1970]

*In the Matter of Dutch American Fur Corp., a Corporation, and Eric Roll, Individually and as an Officer of Said Corporation*

Consent order requiring a New York City dealer in fur skins and manufacturer of fur products to cease deceptively invoicing and misbranding its fur products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered*, That respondents Dutch American Fur Corp., a corporation, and its officers, and Eric Roll, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction or the manufacture for introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with manufacture for sale, the sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding any fur product by:

1. Representing, directly or by implication, on a label that the fur contained in such fur product is natural when such fur is pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

2. Failing to affix a label to such products showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

B. Falsely or deceptively invoicing any fur product by:

1. Failing to furnish an invoice, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Representing directly or by implication on an invoice that the fur contained in such fur product is natural when such fur is pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

*It is further ordered*, That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

*It is further ordered*, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

*It is further ordered*, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: June 24, 1970.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 70-10567; Filed, Aug. 12, 1970; 8:46 a.m.]

[Docket No. C-1761]

**PART 13—PROHIBITED TRADE PRACTICES**

**Ellerman Manufacturing Co. et al.**

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods*; 13.30-75 *Textile Fiber Products Identification Act*; § 13.73 *Formal regulatory and statutory requirements*; 13.73-90 *Textile Fiber Products Identification Act*. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*; 13.1185-90 *Wool Products Labeling Act*; § 13.1212 *Formal regulatory and statutory requirements*; 13.1212-90 *Wool Products Labeling Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition*; 13.1845-80 *Wool Products*



Labeling Act: § 13.1852 *Formal regulatory and statutory requirements*: 13.1852-80 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130, 72 Stat. 1717; 15 U.S.C. 45, 68, 70) [Cease and desist order, Ellerman Manufacturing Co. et al., Chicago, Ill., Docket C-1761, July 13, 1970]

*In the Matter of Ellerman Manufacturing Co., a Partnership, and Raymond H. Ellerman and Harry F. Ellerman, Individually and as Copartners Trading as Ellerman Manufacturing Co., and Helen Ellerman, Individually and as Manager of Ellerman Manufacturing Co.*

Consent order requiring a Chicago, Ill., manufacturer of men's and boys' athletic clothing, including award jackets, to cease misbranding its woolen products, falsely advertising its textile fiber products, and failing to maintain required records.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered*, That respondents Ellerman Manufacturing Co., a partnership, and Raymond H. Ellerman and Harry F. Ellerman, individually and as copartners trading as Ellerman Manufacturing Co., and Helen Ellerman, individually and as Manager of Ellerman Manufacturing Co., and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, manufacture for introduction, into commerce, or the offering for sale, sale, transportation, distribution, delivery for shipment or shipment, in commerce, of wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

1. Falsely and deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers contained therein.

2. Failing to securely affix to, or place on, each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

3. Failing to set forth required information on labels attached to wool products consisting of two or more sections of different fiber content, in such a manner as to show the fiber content of each section in all instances where such marking is necessary to avoid deception.

4. Failing to set forth the fiber content of linings which are used in wool products, separately and distinctly as part of the required information on the stamps, tags, labels or other marks of identification affixed to such wool products if such linings contain, purport to contain or are represented as containing wool, reprocessed wool or reused wool.

*It is further ordered*, That respondents Ellerman Manufacturing Co., a partnership, and Raymond H. Ellerman and

Harry F. Ellerman, individually and as copartners trading as Ellerman Manufacturing Co., and Helen Ellerman, individually and as Manager of Ellerman Manufacturing Co., and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, manufacture for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or the importation into the United States, of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of any textile fiber product which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Falsely and deceptively advertising textile fiber products by:

1. Making any representations, directly or by implication, as to fiber content of any textile fiber product in any written advertisement which is used to aid, promote, or assist, directly or indirectly, in the sale or offering for sale of such textile fiber product, unless the same information required to be shown on the stamp, tag, label, or other means of identification under section 4(b)(1) and (2) of the Textile Fiber Products Identification Act is contained in the said advertisement, except that the percentages of the fibers present in the textile fiber product need not be stated.

2. Using a fiber trademark in an advertisement without a full disclosure of the required content information in at least one instance in the said advertisement.

3. Using a fiber trademark in advertising textile fiber products containing more than one fiber without such fiber trademark appearing in the required fiber content information in immediate proximity and conjunction with the generic name of the fiber in plainly legible type or lettering of equal size and conspicuousness.

4. Using a fiber trademark in advertising textile fiber products containing only one fiber without such fiber trademark appearing in the required fiber content information in immediate proximity and conjunction with the generic name of the fiber in plainly legible type or lettering of equal size and conspicuousness.

B. Failing to maintain and preserve records of fiber content of textile fiber products manufactured by them, as required by section 6(a) of the Textile Fiber Products Identification Act and Rule 39 of the regulations thereunder.

*It is further ordered*, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report

in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: July 13, 1970.

By the Commission.

[SEAL]

JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 70-10573; Filed, Aug. 12, 1970; 8:47 a.m.]

[Docket No. C-1763]

## PART 13—PROHIBITED TRADE PRACTICES

### Gateway Fabrics et al.

Subpart—Importing, selling, or transporting flammable wear: § 13.1060 *Importing, selling, or transporting flammable wear*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 67 Stat. 111, as amended; 15 U.S.C. 45, 1191) [Cease and desist order, Gateway Fabrics et al., Pacific Grove, Calif., Docket C-1763, July 13, 1970]

*In the Matter of Gateway Fabrics, a Partnership, and Genevieve Holman and Verdis L. Johnson, Individually and as Copartners Trading as Gateway Fabrics*

Consent order requiring a Pacific Grove, Calif., partnership engaged in selling and distributing various textile fabrics, including bridal illusion, to cease and desist from importing, selling, or transporting the textile fabric bridal illusion.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered*, That respondents Gateway Fabrics, a partnership, and Genevieve Holman and Verdis L. Johnson, individually and as copartners trading as Gateway Fabrics, or under any other name or names, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from manufacturing for sale, selling, offering for sale, in commerce, or introducing, delivering for introduction, transporting or causing to be transported in commerce, or selling or delivering after sale or shipment in commerce, any product, fabric, or related material as "commerce," "product," "fabric," or "related material" are defined in the Flammable Fabrics Act, as amended, which fails to conform to any applicable standard or regulation continued in effect, issued or amended under the provisions of the aforesaid Act.

*It is further ordered*, That the respondents herein shall, within ten (10) days after service upon them of this order, file with the Commission an interim special report in writing setting forth the respondents' intentions as to compliance with this order. This interim special report shall also advise the Commission fully and specifically concerning the identity of the product which gave rise to the complaint, (1) the amount of such product in inventory, (2) any



action taken to notify customers of the flammability of such product and the results thereof, and (3) any disposition of such product since May 13, 1969. Such report shall further inform the Commission whether respondents have in inventory any fabric, product or related material having a plain surface and made of silk, rayon, cotton, or combinations thereof, or acetate and nylon, in a weight of 2 ounces or less per square yard or fabric with a raised fiber surface made of cotton or rayon or combinations thereof. Respondents will submit samples of any such fabric, product or related material with this report. Samples of the fabric, product or related material shall be of not less than 1 square yard of material.

It is further ordered, That the respondents process the textile fabric (bridal illusion) which gave rise to this complaint so as to bring it within the applicable provisions of the Flammable Fabrics Act, as amended, or destroy said textile fabric.

It is further ordered, That respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: July 13, 1970.

By the Commission,

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 70-10575; Filed, Aug. 12, 1970;  
8:47 a.m.]

[Docket No. C-1758]

### PART 13—PROHIBITED TRADE PRACTICES

Monroe Lang

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*: 13.1108-45 Fur Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*: 13.1852-35 Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Monroe Lang, Chicago, Ill., Docket C-1758, July 2, 1970]

Consent order requiring a Chicago, Ill., fur dealer to cease falsely or deceptively invoicing any fur or fur product.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Monroe Lang, individually and trading as Monroe Lang or under any other name or names, and respondent's representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation or distribution of any fur product

which is made in whole or in part of fur which has been shipped and received in commerce, or in connection with the introduction into commerce, or the sale, advertising or offering for sale of any fur, as the terms "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from falsely or deceptively invoicing any fur or fur product by failing to furnish an invoice, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b) (1) of the Fur Products Labeling Act.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which he has complied with this order.

Issued: July 2, 1970.

By the Commission,

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 70-10570; Filed, Aug. 12, 1970;  
8:46 a.m.]

[Docket No. C-1757]

### PART 13—PROHIBITED TRADE PRACTICES

Lewis Rusoff, Inc., et al.

Subpart—Furnishing false guaranties: § 13.1053 *Furnishing false guaranties*: 13.1053-80 Textile Fiber Products Identification Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: 13.1185-80 Textile Fiber Products Identification Act; 13.1185-90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements*: 13.1212-80 Textile Fiber Products Identification Act; 13.1212-90 Wool Products Labeling Act. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1530 *Producer status of dealer*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition*: 13.1845-70 Textile Fiber Products Identification Act; 13.1845-80 Wool Products Labeling Act; § 13.1852 *Formal regulatory and statutory requirements*: 13.1852-70 Textile Fiber Products Identification Act; 13.1852-80 Wool Products Labeling Act; § 13.1855 *Identity*. Subpart—Using misleading name—Vendor: § 13.2445 *Producer or laboratory status of seller*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130, 72 Stat. 1717; 15 U.S.C. 45, 68, 70) [Cease and desist order, Lewis Rusoff, Inc., et al., Hoboken, N.J., Docket C-1757, July 2, 1970]

In the Matter of Lewis Rusoff, Inc., a Corporation, and Leonard Fabrics, Inc., a Corporation, and Lewis Rusoff, Individually and as an Officer of Said Corporations

Consent order requiring two Hoboken, N.J., converters and jobbers to cease mis-

branding, falsely guaranteeing, and failing to keep required records, in violation of the Textile Fiber Products Identification Act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Lewis Rusoff, Inc., a corporation, and its officers, Leonard Fabrics, Inc., a corporation, and its officers, and Lewis Rusoff, individually and as an officer of said corporations, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, manufacture for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or the importation into the United States, of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation or causing to be transported, of any textile fiber product which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

- A. Misbranding such products by:
  1. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising, or otherwise identifying such products as to the name or amount of constituent fibers contained therein.
  2. Failing to affix a stamp, tag, label, or other means of identification to each such product showing in a clear, legible and conspicuous manner each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.
  3. Failing to affix labels to samples, swatches or specimens of textile fiber products used to promote or effect the sale of such textile fiber products showing in words and figures plainly legible all the information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.
- B. Failing to maintain and preserve proper records of fiber content of textile fiber products manufactured by respondents, as required by section 6(a) of the Textile Fiber Products Identification Act and Rule 39 of the rules and regulations promulgated thereunder.
- C. Failing to maintain and preserve, as required by section 6(b) of the Textile Fiber Products Identification Act, such records of the fiber content of textile fiber products as will show the information set forth on the stamps, tags, labels, or other identification removed by respondents, together with the name or names of the person or persons from whom such textile fiber products were received, when substituting stamps, tags, labels, or other identification pursuant to section 5(b) of the Textile Fiber Products Identification Act.



It is further ordered, That respondents Lewis Rusoff, Inc., a corporation, and its officers, Leonard Fabrics, Inc., a corporation, and its officers, and Lewis Rusoff, individually and as an officer of said corporations, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from furnishing a false guaranty that any textile fiber product is not misbranded or falsely or deceptively invoiced or advertised under the provisions of the Textile Fiber Products Identification Act.

It is further ordered, That respondents Lewis Rusoff, Inc., a corporation, and its officers, Leonard Fabrics, Inc., a corporation, and its officers, and Lewis Rusoff, individually and as an officer of said corporations, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Directly or indirectly using the word "mills", or any other word or term of similar import or meaning on invoices, shipping memoranda or other of respondents' documents distributed in commerce, or representing in any other manner that respondents perform the functions of a mill or otherwise manufacture or process products sold by them unless and until respondents own and operate, or directly and absolutely control the mills wherein said products are manufactured.

2. Misrepresenting in any manner that respondents have mills or factories where their products are manufactured.

3. Representing, directly or indirectly, that their fabrics or other products are styled by "Famous Designers", unless and until such representations are in fact true.

4. Representing that any of respondents' products are guaranteed, unless the nature and extent of the guarantee, the name of the guarantor, the address of the guarantor and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed.

It is further ordered, That respondents Lewis Rusoff, Inc., a corporation, and its officers, Leonard Fabrics, Inc., a corporation, and its officers, and Lewis Rusoff, individually and as an officer of said corporations, and respondents' representatives, agents and employees directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or offering for sale, sale, transportation, distribution, delivery for shipment or shipment, in commerce, of wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding wool products by:

1. Falsely and deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers contained therein.

2. Failing to securely affix to or place on, each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner, each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

3. Failing to affix labels to samples, swatches or specimens of wool products used to promote or effect sales of such wool products, showing their respective fiber contents and other information required by law.

It is further ordered, That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondents such as dissolution, assignment or sale resulting in the emergence of successor corporations, the creation or dissolution of subsidiaries or any other change in the corporations which may affect compliance obligations arising out of the order.

It is further ordered, That the respondents corporations shall forthwith distribute a copy of this order to each of their operating divisions.

It is further ordered, That respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: July 2, 1970.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 70-10569; Filed, Aug. 12, 1970;  
8:46 a.m.]

[Docket No. C-1759]

### PART 13—PROHIBITED TRADE PRACTICES

#### Manis & Steve Furs et al.

Subpart—Invoicing products falsely: § 13.1108 Invoicing products falsely: 13.1108-45 Fur Products Labeling Act.

Subpart—Misbranding or mislabeling: § 13.1185 Composition: 13.1185-30 Fur Products Labeling Act; § 13.1212 Formal regulatory and statutory requirements: 13.1212-30 Fur Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 Formal regulatory and statutory requirements: 13.1852-35 Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46, Interpret or apply sec. 5, 38 Stat. 719, as amended, sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Manis & Steve Furs, et al., New York, N.Y., Docket C-1759, July 2, 1970]

In the Matter of Manis & Steve Furs, a Partnership, and Stylianos Tseas and Manis Antzoulatos, Individually and as Copartners Trading as Manis & Steve Furs

Consent order requiring a New York City manufacturing furrier to cease and desist misbranding and falsely invoicing its fur products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Manis & Steve Furs, a partnership, and respondents Stylianos Tseas and Manis Antzoulatos, individually and as copartners trading as Manis & Steve Furs or under any other name, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation or distribution of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Misbranding any fur product by failing to affix a label to such fur product showing in words and figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

2. Falsely or deceptively invoicing any fur product by failing to furnish an invoice, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: July 2, 1970.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 70-10571; Filed, Aug. 12, 1970;  
8:46 a.m.]

[Docket No. C-1755]

### PART 13—PROHIBITED TRADE PRACTICES

#### Rodkin-Berman, Inc., et al.

Subpart—Invoicing products falsely: § 13.1108 Invoicing products falsely: 13.1108-45 Fur Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 Formal regulatory and statutory requirements: 13.1852-35 Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46, Interpret or apply sec. 5, 38 Stat. 719, as amended, sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Rodkin-Berman, Inc., et al., Chicago, Ill., Docket C-1755, June 24, 1970]



*In the Matter of Rodkin-Berman, Inc., a Corporation, and Yale Rodkin and Erwin L. Berman, Individually and as Officers of Said Corporation*

Consent order requiring a Chicago, Ill., manufacturer and wholesaler of fur products to cease falsely invoicing its fur products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered,* That respondents Rodkin-Berman, Inc., a corporation, and its officers, and Yale Rodkin and Erwin L. Berman, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce; or in connection with the introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur, as the terms "commerce," "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from falsely or deceptively invoicing such fur or fur product by failing to furnish an invoice, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

*It is further ordered,* That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

*It is further ordered,* That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

*It is further ordered,* That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: June 24, 1970.

By the Commission.

[SEAL]

JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 70-10568; Filed, Aug. 12, 1970; 8:46 a.m.]

[Docket No. C-1760]

# PART 13—PROHIBITED TRADE PRACTICES

*S. Garber, Inc., et al.*

Subpart—Invoicing products falsely:  
§ 13.1108 Invoicing products falsely:  
13.1108-45 Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, S. Garber, Inc., et al., Chicago, Ill., Docket C-1760, July 2, 1970]

*In the Matter of S. Garber, Inc., a Corporation, and Sidney Garber, Shirley Garber and Bessie Garber, Individually and as Officers of Said Corporation*

Consent order requiring a Chicago, Ill., dealer in furs to cease and desist from falsely invoicing its fur products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered,* That respondents S. Garber, Inc., a corporation, and its officers, and Sidney Garber, Shirley Garber and Bessie Garber, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction into commerce or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce; or in connection with the introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur, as the terms "commerce," "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from falsely or deceptively invoicing such fur or fur product by failing to furnish an invoice, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

*It is further ordered,* That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

*It is further ordered,* That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

*It is further ordered,* That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a re-

port, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: July 2, 1970.

By the Commission.

[SEAL]

JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 70-10572; Filed, Aug. 12, 1970; 8:46 a.m.]

## Title 42—PUBLIC HEALTH

### Chapter I—Public Health Service, Department of Health, Education, and Welfare

#### SUBCHAPTER G—PREVENTION, CONTROL, AND ABATEMENT OF AIR POLLUTION

#### PART 81—AIR QUALITY CONTROL REGIONS, CRITERIA, AND CONTROL TECHNIQUES

##### Hawaii Air Quality Control Region

On May 21, 1970, notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 7813) to amend Part 81 by designating the Hawaiian Islands, Intrastate Air Quality Control Region, hereafter referred to as the State of Hawaii Air Quality Control Region.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments, and a consultation with appropriate State and local authorities pursuant to section 107(a) of the Clean Air Act (42 U.S.C. 1857c-2(a)) was held on May 28, 1970. Due consideration has been given to all relevant material presented, with the result that the Region has been renamed the State of Hawaii Air Quality Control Region. No change has been made to the boundaries proposed.

In consideration of the foregoing and in accordance with the statement in the notice of proposed rule making, § 81.76, as set forth below, designating the State of Hawaii Air Quality Control Region, is adopted effective on publication.

##### § 81.76 State of Hawaii Air Quality Control Region.

The State of Hawaii Air Quality Control Region consists of the territorial area encompassed by the outermost boundaries of the State of Hawaii (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited).

(Secs. 107(a), 301(a), 81 Stat. 490, 504; 42 U.S.C. 1857c-2(a), 1857g(a))

Dated: July 30, 1970.

ELLIOT L. RICHARDSON,  
Secretary.

[F.R. Doc. 70-10310; Filed, Aug. 12, 1970; 8:45 a.m.]



# Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

## Chapter I—Veterans Administration

### PART 21—VOCATIONAL REHABILITATION AND EDUCATION

#### Subpart D—Administration of Educational Benefits; 38 U.S.C. Chs. 34, 35, and 36

##### MEASUREMENT OF COURSES

1. Section 21.4270 is revised to read as follows:

#### § 21.4270 Measurement of courses.

Clock hours and class sessions mentioned in this table mean clock hours and class sessions per week.

Kind of school	Kind of course	Full time	$\frac{3}{4}$ time	$\frac{1}{2}$ time	Less than $\frac{1}{2}$ , more than $\frac{1}{4}$ time	$\frac{1}{4}$ time or less
(a) Trade or technical (includes college courses not leading to a standard degree).	Shop practice an integral part of course.	30 clock hours attendance with not more than $2\frac{1}{2}$ hours rest period allowance.	22 through 29 clock hours attendance with not more than 2 hours rest period allowance.	15 through 21 clock hours attendance with not more than $1\frac{1}{2}$ hours rest period allowance.	8 through 14 clock hours attendance with not more than $\frac{3}{4}$ hours rest period allowance.	1 through 7 clock hours attendance.
	Theory and class instruction predominates. <sup>1</sup>	25 clock hours net instruction.	18 through 24 clock hours net instruction.	12 through 17 clock hours net instruction.	7 through 11 clock hours net instruction.	1 through 6 clock hours net instruction.
(b) High school....	High school diploma or equivalent.	25 clock hours net of instructions or 4 units per year or equivalent. <sup>2</sup>	18 through 24 clock hours net of instruction or 3 units per year or equivalent.	12 through 17 clock hours net of instruction or 2 units per year or equivalent.	7 through 11 clock hours net of instruction or 1 unit per year or equivalent.	1 through 6 clock hours net of instruction.
(c) Collegiate undergraduate.	Standard collegiate courses including cooperative.	14 semester hours or equivalent. <sup>3</sup>	10 through 13 semester hours or equivalent.	7 through 9 semester hours or equivalent.	4 through 6 semester hours or equivalent.	1 through 3 semester hours or equivalent.
(d) Collegiate graduate.	Standard collegiate graduate courses including law.	As in paragraph (c) of this section or as certified by responsible official of school.	As in paragraph (c) of this section or as certified by responsible official of school.	As in paragraph (c) of this section or as certified by responsible official of school.	As in paragraph (c) of this section or as certified by responsible official of school.	As in paragraph (c) of this section or as certified by responsible official of school.
(e) Professional (nonaccredited).	Law only. <sup>4</sup>	12 class sessions per week.	9 through 11 class sessions per week.	6 through 8 class sessions per week.	4 through 5 class sessions per week.	1 through 3 class sessions per week.
(f) Professional (accredited and equivalent).	Internships and residencies: Medical, dental, osteopathic.	As established by accrediting association.	Full time only.			
	Nursing, X-ray medical technology, medical records librarian, physical therapy.	25 clock hours or 14 semester hours, as appropriate.	18 through 24 clock hours or 10 through 13 semester hours, as appropriate.	12 through 17 clock hours or 7 through 9 semester hours, as appropriate.	7 through 11 clock hours or 4 through 6 semester hours, as appropriate.	1 through 6 clock hours or less than 4 semester hours, as appropriate.
(g) Training establishment.	Apprentice or other on-the-job. <sup>5</sup>	Standard workweek.	Full time only.			
(h) Agricultural....	Farm cooperative. <sup>1</sup>	12 clock hours net instruction in institutional training scheduled within 44 weeks of the year plus agricultural employment.	9 clock hours net instruction in institutional training scheduled within 44 weeks of the year plus agricultural employment.	6 clock hours net instruction in institutional training scheduled within 44 weeks of the year plus agricultural employment.	No provision.	
(i) Elementary school.	High school preparatory.	25 clock hours net instruction.	18 through 24 clock hours net instruction.	12 through 17 clock hours net instruction.	7 through 11 clock hours net instruction.	1 through 6 clock hours net instruction.

<sup>1</sup> In measuring net instruction there will be included customary intervals not to exceed 10 minutes between classes. Shop practice, except for supervised instruction periods in school's shop in farm cooperative programs, and rest periods are excluded.

<sup>2</sup> Diploma course or equivalent based on completion of 16 instruction units. High school diploma courses or equivalent available only under chapter 34.

<sup>3</sup> Cooperative courses may be pursued on full-time basis only. Where the institution certifies that all undergraduate students enrolled for a minimum of 12 or 13 semester hours or the equivalent are (1) charged full-time tuition, or (2) considered full-time for other administrative purposes, such minimum hours will establish the criteria for full-time measurement. The minimum for full-time in either instance is 12 such hours. When 12 hours is properly certified as full time, 9 through 11 hours will be measured as  $\frac{3}{4}$  time, 6 through 8 hours will be measured as  $\frac{1}{2}$  time, 4 through 5 hours will be measured as less than  $\frac{1}{2}$  and more than  $\frac{1}{4}$  time, and 1 through 3 hours will be measured as  $\frac{1}{4}$  time or less. All other undergraduate courses of less than full time will continue to be measured under paragraph (c) or (f) of this section as appropriate, but where 13 credit hours or the equivalent is certified as full time,  $\frac{3}{4}$  time will be 10 through 12 hours.

Upon request of a beneficiary, an increase in rates warranted under this criteria

may be authorized to him effective March 26, 1970, if he was enrolled prior to that date and effective the date of enrollment if he was enrolled on or after March 26, 1970. The request of the beneficiary will not be required for other payments under this criteria.

To meet criteria for full-time measurement under 38 U.S.C. ch. 34 in standard collegiate courses which included required noncredit deficiency courses, the credit hour equivalent of such noncredit courses may not exceed one-half the number of required hours. In the absence of a certification under § 21.4272(f) noncredit deficiency courses may be converted to credit hour equivalent on the basis of the applicable measurement criteria, that is, 25 or 30 clock hours, 4 "Carnegie Units", or 14 semester hours equals full-time.

<sup>4</sup> Class sessions measured on basis of not less than 50 minutes of classroom instruction. Supervised study periods, class breaks and rest periods are excluded.

<sup>5</sup> Full-time training will consist of the number of hours which constitute the standard workweek of the training establishment, but not less than 35 hours, unless a lesser number of hours is established as the standard workweek for the particular establishment through bona fide collective bargaining between employers and employees.

2. In § 21.4272, paragraph (d) is amended to read as follows:

#### § 21.4272 Collegiate undergraduate; credit-hour basis.

(d) Courses; measurement equivalency. Where a semester is less than 18 weeks or a quarter is less than 12 weeks and for any term of lesser duration, the equivalent for full-time training will be measured by multiplying the credits to

be earned in the session by 18 if credit is granted in semester hours, or by 12 if credit is granted in quarters, and dividing the product by the number of whole weeks in the session. The resulting quotient will be the semester hours on which educational assistance allowance will be computed using the criteria of § 21.4270 proper or the criteria of footnote 3 to that section, whichever is appropriate. In determining whole weeks for this formula 3 days or less will be dis-

regarded and 4 days or more will be considered a full week.

(72 Stat. 1114; 38 U.S.C. 210)

These VA regulations are effective March 26, 1970.

Approved: August 7, 1970.

By direction of the Administrator.

[SEAL]

FRED B. RHODES,  
Deputy Administrator.

[F.R. Doc. 70-10555; Filed, Aug. 12, 1970; 8:45 a.m.]



## Title 39—POSTAL SERVICE

## Chapter I—Post Office Department

## PART 135—FOURTH CLASS

## Reformation of Fourth-Class Postage Rates

In the daily issue of Saturday, May 2, 1970 (35 F.R. 7018), the Department published a notice stating the intention of the Postmaster General to file a request with the Interstate Commerce Commission for an increase in the rates of postage on parcel post and fourth-class catalogs and for a surcharge on certain parcels, pursuant to section 4558 of title 39, United States Code, and in that notice set out the proposed rates. In addition, that notice advised that interested persons could submit written comments to the Department, and that an informal conference on the proposed rates would be held by postal officials on June 1, 1970, at which they could orally submit data, views, and arguments. On June 17, 1970, the Department submitted a request to the Interstate Commerce Commission for an increase in the schedule of rates of postage on parcel post and fourth-class catalogs, and for a surcharge on certain parcels to supersede the surcharge stated in section 4556(b) of title 39, United States Code.

On July 16, 1970, the Commission announced that the Postmaster General's request to increase rates for parcels and catalogs was "substantiated by probative evidence and comports to the statutory requirements, and that neither rejection, investigation, nor any other action is warranted." The Commission, however, ordered an investigation with respect to the requested surcharge.

Pursuant to the July 16 order of the Interstate Commerce Commission, the general rate scales for zone-rate parcels and catalogs will become effective on November 14, 1970. This effective date was set after consultation with mailers' associations on Thursday, July 23, 1970. Accordingly, Title 39, Code of Federal Regulations, is amended as follows to reflect the new postage rates for zone-rate parcels and catalogs, effective November 14, 1970:

In § 135.1 Rates, make the following changes:

A. The table under paragraph (a) is revised to reflect the new parcel post zone rates. The exceptions following the tabular material are unchanged.

B. The table under paragraph (b) (1) is revised to reflect the new postage rates for fourth-class catalogs mailed in quantities of not less than 300 at one time.

C. The table under paragraph (b) (3) is revised to reflect the new postage rates for fourth-class catalogs mailed separately.

## § 135-1 Rates.

## (a) Fourth class (parcel post) zone rates.

Weight, 1 pound and not exceeding (pounds)	Zones							
	Local	1 and 2	3	4	5	6	7	8
2	\$0.60	\$0.65	\$0.70	\$0.75	\$0.80	\$0.90	\$1.00	\$1.05
3	.60	.75	.80	.85	.95	1.10	1.20	1.35
4	.65	.80	.85	.95	1.10	1.30	1.40	1.60
5	.70	.85	.90	1.05	1.20	1.45	1.65	1.90
6	.70	.95	1.00	1.15	1.35	1.60	1.85	2.10
7	.75	1.05	1.10	1.25	1.50	1.75	2.10	2.35
8	.75	1.10	1.15	1.35	1.60	1.90	2.30	2.60
9	.80	1.15	1.20	1.45	1.75	2.05	2.45	2.85
10	.80	1.20	1.30	1.55	1.90	2.20	2.65	3.10
11	.80	1.25	1.35	1.60	2.00	2.30	2.85	3.35
12	.85	1.30	1.45	1.70	2.10	2.45	3.05	3.55
13	.85	1.35	1.55	1.80	2.20	2.60	3.25	3.80
14	.90	1.40	1.60	1.90	2.35	2.75	3.45	4.00
15	.90	1.45	1.65	2.00	2.45	2.85	3.60	4.20
16	.95	1.55	1.75	2.05	2.55	2.95	3.80	4.40
17	1.00	1.60	1.80	2.15	2.65	3.10	3.95	4.60
18	1.00	1.65	1.90	2.20	2.75	3.20	4.15	4.80
19	1.05	1.70	2.00	2.30	2.85	3.35	4.30	5.00
20	1.05	1.75	2.05	2.40	2.95	3.50	4.50	5.20
21	1.10	1.85	2.10	2.45	3.05	3.65	4.65	5.40
22	1.15	1.90	2.15	2.55	3.15	3.75	4.85	5.60
23	1.15	1.95	2.20	2.60	3.25	3.90	5.00	5.80
24	1.20	2.00	2.25	2.65	3.35	4.05	5.15	6.00
25	1.20	2.05	2.30	2.75	3.45	4.15	5.35	6.20
26	1.20	2.10	2.35	2.85	3.55	4.30	5.50	6.40
27	1.25	2.15	2.40	2.90	3.70	4.45	5.65	6.60
28	1.25	2.20	2.45	2.95	3.80	4.60	5.80	6.80
29	1.30	2.25	2.50	3.05	3.90	4.70	5.95	7.00
30	1.30	2.30	2.55	3.10	4.00	4.85	6.10	7.20
31	1.35	2.35	2.65	3.20	4.10	5.00	6.25	7.40
32	1.40	2.40	2.70	3.30	4.20	5.15	6.45	7.60
33	1.40	2.45	2.75	3.35	4.30	5.25	6.60	7.80
34	1.45	2.50	2.80	3.40	4.40	5.40	6.75	8.00
35	1.45	2.55	2.85	3.45	4.50	5.55	6.90	8.20
36	1.45	2.60	2.90	3.55	4.60	5.65	7.10	8.40
37	1.50	2.65	3.00	3.65	4.70	5.75	7.25	8.60
38	1.50	2.70	3.05	3.70	4.80	5.90	7.45	8.80
39	1.55	2.75	3.10	3.80	4.90	6.05	7.60	9.00
40	1.55	2.80	3.15	3.85	5.00	6.15	7.75	9.20
41	1.60	2.85	3.20	3.95	5.15	6.25	7.95	9.40
42	1.65	2.90	3.25	4.00	5.25	6.40	8.10	9.60
43	1.65	2.95	3.30	4.10	5.35	6.55	8.25	9.80
44	1.70	3.00	3.35	4.15	5.45	6.65	8.40	10.00
45	1.70	3.05	3.40	4.20	5.55	6.80	8.55	10.20
46	1.70	3.10	3.50	4.30	5.65	6.90	8.70	10.40
47	1.75	3.10	3.55	4.40	5.75	7.00	8.90	10.60
48	1.75	3.15	3.60	4.45	5.85	7.15	9.05	10.80
49	1.80	3.20	3.65	4.50	5.95	7.30	9.20	11.00
50	1.80	3.25	3.70	4.60	6.05	7.40	9.35	11.15
51	1.85	3.30	3.80	4.70	6.15	7.50	9.50	11.35
52	1.90	3.35	3.85	4.75	6.25	7.65	9.65	11.55
53	1.90	3.40	3.90	4.80	6.35	7.80	9.80	11.75
54	1.95	3.40	3.95	4.90	6.45	7.90	9.95	11.90
55	1.95	3.45	4.00	4.95	6.55	8.00	10.10	12.10
56	1.95	3.50	4.10	5.05	6.60	8.10	10.25	12.25
57	2.00	3.55	4.15	5.15	6.70	8.25	10.40	12.45
58	2.00	3.60	4.20	5.20	6.80	8.40	10.55	12.60
59	2.05	3.65	4.25	5.25	6.90	8.50	10.70	12.80
60	2.05	3.65	4.30	5.35	7.00	8.60	10.85	12.95
61	2.10	3.70	4.35	5.45	7.05	8.70	11.00	13.10
62	2.15	3.70	4.40	5.50	7.15	8.85	11.15	13.30
63	2.15	3.75	4.45	5.55	7.25	9.00	11.30	13.45
64	2.20	3.80	4.50	5.60	7.35	9.10	11.45	13.65
65	2.20	3.85	4.60	5.70	7.45	9.20	11.60	13.80
66	2.20	3.90	4.65	5.80	7.50	9.30	11.75	13.95
67	2.25	3.95	4.70	5.85	7.60	9.40	11.85	14.15
68	2.25	3.95	4.75	5.90	7.70	9.55	12.00	14.30
69	2.30	4.00	4.80	5.95	7.75	9.65	12.15	14.50
70	2.30	4.05	4.85	6.05	7.85	9.75	12.25	14.65

NOTE: The corresponding Postal Manual section is 135.11.

(b) Catalogs and similar printed advertising matter in bound form having 24 or more pages at least 22 of which are printed, weighing 16 ounces or more but not exceeding 10 pounds—(1) Rates for bulk mailings of separately addressed identical pieces in quantities of not less than 300 mailed at one time.



## RULES AND REGULATIONS

Zones	Piece rate	Bulk pound rate	Weight (pounds)	Zones							
				Local	1 & 2	3	4	5	6	7	8
Local	Cents 21	Cents 2.1	1.5	\$0.28	\$0.34	\$0.34	\$0.36	\$0.38	\$0.40	\$0.42	\$0.48
1 and 2	25	3.4	2	.29	.35	.36	.38	.41	.43	.47	.51
3	25	4.0	2.5	.30	.37	.38	.41	.44	.47	.51	.56
4	25	5.0	3	.31	.39	.40	.43	.47	.51	.56	.62
5	25	6.1	3.5	.32	.40	.42	.46	.50	.55	.60	.67
6	25	7.5	4	.33	.42	.44	.48	.53	.58	.65	.73
7	25	9.1	4.5	.34	.44	.46	.51	.56	.62	.69	.78
8	25	10.8	5	.35	.45	.48	.53	.59	.66	.74	.83
			6	.37	.49	.52	.58	.65	.73	.83	.94
			7	.39	.52	.56	.63	.71	.81	.92	1.05
			8	.41	.56	.60	.68	.77	.88	1.01	1.16
			9	.43	.59	.64	.73	.83	.96	1.10	1.27
			10	.45	.62	.68	.78	.89	1.03	1.19	1.37

NOTE: The total charges for each bulk mailing shall be the sum of the charges derived by applying the applicable pound rate to the total number of pounds and by applying the applicable piece rate to the total number of pieces.

NOTE: The corresponding Postal Manual section is 135.121.

(3) Single piece rates for individual mailings of catalogs not mailed under subparagraph (1) of this paragraph.

NOTE: The corresponding Postal Manual section is 135.123.

(5 U.S.C. 301, 39 U.S.C. 501, 4558)

DAVID A. NELSON,  
General Counsel.

[F.R. Doc. 70-10608; Filed, Aug. 12, 1970; 8:49 a.m.]



# Proposed Rule Making

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### [ 50 CFR Part 17 ]

## CONSERVATION OF ENDANGERED SPECIES AND OTHER FISH OR WILDLIFE

### Notice of Proposed Rule Making and Opportunity for Public Hearing

#### Correction

In F.R. Doc. 70-10404 appearing at page 12726 in the issue of Tuesday, August 11, 1970, the time "9 a.m." appearing in the sixth line of the last paragraph should read "1:30 p.m."

## DEPARTMENT OF AGRICULTURE

### Consumer and Marketing Service

#### [ 7 CFR Part 201 ]

## FEDERAL SEED ACT REGULATIONS

### Notice of Proposed Rule Making

Pursuant to the provisions of section 402 of the Federal Seed Act, as amended (7 U.S.C. 1551 et seq.), notice is hereby given that consideration is being given to amending the regulations under the Act (7 CFR Part 201, as amended).

Public hearing will be held in Room 2096, South Building, U.S. Department of Agriculture, 14th and Independence Avenue SW., Washington, D.C., at 10 a.m., Tuesday, September 15, 1970. Interested persons are invited to attend this hearing and to offer comments or suggestions. The presiding officer shall be designated prior to the hearing by the Director, Grain Division, Consumer and Marketing Service. Comments in duplicate may be submitted by mail addressed to the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, and will be considered if received on or before September 15, 1970. All written submissions will be available for public inspection at the office of the Hearing Clerk during regular business hours.

The proposed amendments are as follows:

1. Section 201.101 would be amended by adding to the list of kinds of seed in proper alphabetical order the following:

Velvetbean.

2. Section 201.208 would be amended by adding to the list of kinds of seed in paragraph (a) in alphabetical order the following:

Velvetbean.

3. Section 201.222 would be amended by adding to the list of kinds of seed in paragraph (a) the following:

Velvetbean.

Done at Washington, D.C., this 10th day of August 1970.

JOHN C. BLUM,  
Deputy Administrator,  
Regulatory Programs.

[F.R. Doc. 70-10606; Filed, Aug. 12, 1970;  
8:49 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### [ 14 CFR Part 71 ]

[Airspace Docket No. 70-CE-53]

### FEDERAL AIRWAY

#### Proposed Alteration

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter VOR Federal airway No. 233.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comment received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

If the proposal contained in this docket is adopted, V-233 would be extended from the Knox, Ind., VOR via the Goshen, Ind., VORTAC and Litchfield, Mich., VORTAC to the Lansing, Mich., VOR.

The proposed extension to V-233 is needed to provide a bypass route around Chicago, Ill., and South Bend, Ind. The requests for flights between Knox, Goshen, and Litchfield are increasing. The portion of the proposed route between Litchfield and Lansing would provide route continuity and a more direct route to and from central Michigan.

This amendment is proposed under the authority of section 307(a) of the Fed-

eral Aviation Act of 1958 (49 U.S.C. 1348) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on August 3, 1970.

H. B. HELSTROM,  
Chief, Airspace and Air  
Traffic Rules Division.

[F.R. Doc. 70-10585, Filed, Aug. 12, 1970;  
8:48 a.m.]

### National Highway Safety Bureau

#### [ 49 CFR Part 571 ]

[Docket No. 1-20; Notice 2]

## TRAILER HITCHES, COUPLINGS, AND SAFETY CHAIN; TRAILERS

### Notice of Proposed Motor Vehicle Safety Standard

On October 14, 1967 (32 F.R. 14278) an advance notice of proposed rule making requested comments on structural and installation requirements to insure the integrity of trailer hitches and mating attachments for passenger cars and multipurpose passenger vehicles.

Although information concerning causes of accidents is often speculative, data that is available indicates that a passenger car pulling a trailer is four times more likely to be involved in an accident than one that is not. This data also indicates that in 20 percent of the accidents involving a vehicle towing a trailer, the trailer hitch was a factor that contributed to the accident. In addition to accidents in which hitch separation is a factor, the higher accident rate cited is also believed to result in part from the fact that vehicles towing trailers may suffer degradation in handling performance due to the effects of the dynamic characteristics of the trailer on the towing vehicle. One factor that creates potentially hazardous trailer-towing situations is the coupling of trailers to vehicles equipped with hitches of insufficient strength to tow the trailers. After consideration of comments received, the Director has decided, as an initial step in the improvement of the performance of vehicles towing trailers, to propose a new Federal motor vehicle safety standard, "Trailer Hitches, Couplings, and Safety Chain." The proposed standard, in addition to prescribing minimum strength requirements for hitches, couplings, and safety chain that will minimize the possibility of separation, will also preclude the mating of trailers to hitches that are unsuited for the weight of the trailer. The additional but closely related problem of selecting a hitch that is appropriate for the towing vehicle is being dealt with in a companion proposed Consumer Information regulation "Trailer Towing Performance" (Docket 28-8), which is being



published simultaneously with this notice. That regulation will require manufacturers of passenger cars and multi-purpose passenger vehicles to provide information for the consumer concerning each type of hitch and method of attachment that they recommend for each vehicle, the heaviest trailer that each vehicle may safely tow with the recommended hitches, and certain handling performance data based on standardized dynamic tests.

The standard would require ball-and-socket type trailer hitches and couplings to comply with size, labeling, and load resistance requirements. Trailers of 6,500 pounds or less gross vehicle weight rating that are designed to be towed by vehicles utilizing a ball-type hitch would be required to be equipped with couplings and safety chain meeting the specified requirements. Trailers having a gross vehicle weight rating of more than 6,500 pounds, other than mobile structure trailers, would be prohibited from being manufactured with a coupling designed for use with a ball-type hitch.

The requirements for hitches, couplings, and safety chain are related to the proposed division of trailers into five classes, a departure from the present SAE four-class division. These classes, designated "A," "B," "C," "D," and "E" would be based on trailer gross vehicle weight rating, with class "A," the smallest, comprised of those trailers having a gross vehicle weight rating of 1,000 pounds or less, and class "E," the largest, comprised of trailers having a gross vehicle weight rating of at least 5,000 pounds up to and including a maximum of 6,500 pounds.

The size requirements would require hitches for use with each trailer class to have balls of a different specified diameter, which would be largest when the hitch is manufactured for use with the lighter class "A" trailers, and decreasing in size with each heavier class. The size requirements for couplings would require that coupling interior diameters not exceed specified values, varying in size to fit the ball sizes. A hitch specified for use with a specific trailer class would thus not accept the coupling of a heavier trailer class. The hitch ball, furthermore, would be required to be permanently attached to the hitch.

Hitches and couplings would be required to be capable of withstanding forces related to the trailer class for which they are designed: Longitudinal forces of 3 times, vertical forces of  $1\frac{1}{2}$  times, and transverse forces equal to, the maximum gross vehicle weight rating of the trailer class. Safety chain would be required to withstand forces of  $1\frac{1}{2}$  times the maximum gross vehicle weight rating of the specified class. The standard would require that each hitch meet these force resistance requirements with each vehicle with which the hitch manufacturer recommends the hitch for use, with the hitch attached to the vehicle in the manner recommended by the vehicle manufacturer pursuant to the requirements of the proposed Consumer Information regulation

on "Trailer Towing Performance". Safety chain force resistance requirements for trailers would be met with the safety chain attached to the trailer at recommended attachment points. The attachment points would be required to meet the force resistance requirement together with the safety chain.

The proposed labeling requirements would require hitch, coupling and safety chain to be labeled with its manufacturer's name or trademark, part number, the maximum class trailer for use with the item designated by class and gross vehicle weight rating, and a statement that the coupling, hitch or safety chain complies with applicable standards or the symbol "DOT".

In consideration of the foregoing, it is proposed that Part 571 of Title 49, Code of Federal Regulations, be amended by adding a new Federal motor vehicle safety standard, "Trailer Hitches, Coupling and Safety Chain—Trailers", as set forth below.

Interested persons are invited to submit written data, views, or arguments concerning the proposed standard. Submissions are particularly requested to suggest suitable methods for labeling of safety chain. Submissions should refer to Docket No. 1-20, Notice 2 and be submitted to: Docket Section, Room 4223, 400 Seventh Street, SW., Washington, D.C. 20591. It is requested, but not required, that 10 copies be submitted. All submissions received before the close of business on December 11, 1970, will be considered, and will be available at the above address for examination both before and after the closing date. Submissions filed after the above date will also be considered by the Bureau. The rule-making action may, however, proceed at any time after that date, and submissions received too late for consideration in regard to the action will be treated as suggestions for future rule-making. The Bureau will continue to file relevant material, as it becomes available, in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new materials.

Proposed effective date: January 1, 1972.

This notice of proposed rulemaking is issued under the authority of sections 103, 112, and 119 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. secs. 1392, 1401, 1407) and the delegations of authority at 49 CFR 1.51 (35 F.R. 4955) and 49 CFR 501.8 (35 F.R. 11126).

Issued on August 6, 1970.

RUDOLF A. DIAZ,  
Acting Associate Director, Motor Vehicle Programs, National Highway Safety Bureau.

FEDERAL MOTOR VEHICLE SAFETY  
STANDARD NO. -----

TRAILER HITCHES, COUPLINGS, AND  
SAFETY CHAIN—TRAILERS

**S1. Purpose and scope.** This standard specifies requirements for trailers, ball-

and-socket type trailer hitches and couplings, and safety chain to provide for safer towing of trailers by vehicles using ball-and-socket type hitches.

**S2. Application.** This standard applies to trailers manufactured to be towed by a vehicle equipped with a ball-type hitch, and to hitches, couplings, and safety chain for use in towing those trailers.

**S3. Definitions.** "Class A trailer" means a trailer that has a gross vehicle weight rating of 1,000 pounds or less.

"Class B trailer" means a trailer that has a gross vehicle weight rating of more than 1,000 pounds, but not more than 2,000 pounds.

"Class C trailer" means a trailer that has a gross vehicle weight rating of more than 2,000 pounds, but not more than 3,500 pounds.

"Class D trailer" means a trailer that has a gross vehicle weight rating of more than 3,500 pounds, but not more than 5,000 pounds.

"Class E trailer" means a trailer that has a gross vehicle weight rating of more than 5,000 pounds, but not more than 6,500 pounds.

"Coupling" means the part of the connecting mechanism between the towing and towed vehicle that connects the trailer tongue to the hitch.

"Hitch" means the part of the connecting mechanism between the towing and towed vehicle that is mounted on the towing vehicle, including the supporting platform and the ball.

"Safety chain" means chain or other device that is connected to both the towed and the towing vehicle for the purpose of retaining connection in the event of hitch or coupling failure, and includes any device used to fasten the chain to either vehicle.

#### **S4. Requirements.**

##### **S4.1 Trailers.**

**S4.1.1** Each trailer having a gross vehicle weight rating of 6,500 pounds or less and manufactured to be towed by a vehicle equipped with a ball-type hitch shall be equipped with a coupling that meets the requirements of S4.3, and with safety chain that meets the requirements of S4.4. The trailer shall have attachment points for safety chain that are capable of withstanding, without separation, a tension force of  $1\frac{1}{2}$  times the maximum gross vehicle weight rating of the trailer class applied with an onset rate of not more than 150 pounds per second and maintained for 5 seconds.

**S4.1.2** No trailer having a gross vehicle weight rating of more than 6,500 pounds, except mobile structure trailers, shall be manufactured with a coupling designed for use with a ball-type hitch.

##### **S4.2 Hitches.**

**S4.2.1** Each hitch, when attached to a vehicle and coupling as specified in S6.1, shall be capable of withstanding longitudinal, vertical and transverse forces applied in accordance with S6.3 without separating from the vehicle, or causing a tearing or cracking of any part of the vehicle. Each hitch shall meet the requirements of this standard when attached to any vehicle with which it is recommended for use by its manufacturer.



**S4.2.2** Each hitch labeled "Class A," "Class B," "Class C," "Class D," or "Class E" in accordance with the requirements of S5 shall have a permanently affixed ball having a diameter of 2.625 inches, 2.500 inches, 2.375 inches, 2.250 inches, or 2.125 inches respectively, with a tolerance in each case of +0, -0.031 inches and a maximum eccentricity of 0.031 inch.

#### **S4.3 Couplings.**

**S4.3.1** Each coupling, when attached to a hitch as specified in S6.2, shall be capable of withstanding, without separation, longitudinal, vertical and transverse forces applied in accordance with S6.3.

**S4.3.2** Each coupling labeled "Class A," "Class B," "Class C," "Class D," or "Class E" in accordance with the requirements of S5 shall have a maximum internal diameter of 2.650 inches, 2.525 inches, 2.400 inches, 2.275 inches, or 2.150 inches, respectively.

**S4.3.3** Each coupling shall be equipped with a manually operated locking mechanism that prevents unintentional disengagement of the coupling from the hitch.

**S4.4 Safety chain.** Each safety chain assembly, including connecting hooks and attachment hardware, shall be capable of withstanding, without separation, a tension force of  $1\frac{1}{2}$  times the maximum gross vehicle weight rating of the trailer class with which it is designated for use in accordance with S5, applied with an onset rate of not more than 150 pounds per second and maintained for 5 seconds.

**S5. Labeling.** A label containing the following information shall be permanently affixed to or molded into each hitch, coupling and safety chain:

(a) Manufacturer's name or trademark.

(b) Manufacturer's part number or similar identification.

(c) The trailer class and maximum trailer gross vehicle weight rating with which the hitch, coupling, and safety chain is manufactured for use. Class shall be stated as "Class A," "Class B," "Class C," "Class D," or "Class E," whichever is appropriate.

(d) The statement that the coupling, hitch, or safety chain conforms to applicable Federal motor vehicle safety standards, or the symbol "DOT".

#### **S6. Test procedures.**

**S6.1 Hitch attachment.** When a hitch is to be tested—

(a) Attach the hitch to the vehicle in the manner recommended by the vehicle manufacturer pursuant to paragraph (d) (6) of § 575.108 of this chapter.

(b) Place the vehicle on a horizontal surface, restraining its wheels so that they are immovable with reference to the surface.

(c) Attach to the hitch, in a horizontal position, a coupling that meets the dimensional requirements of S4.3.2 for the same trailer class as the hitch.

**S6.2 Coupling attachment.** When a coupling is to be tested, attach the coupling horizontally to a ball that meets the dimensional requirements of S4.2.2 for the same trailer class as the coupling.

**S6.3 Force application.** With the hitch attached as specified in S6.1 or the coupling attached as specified in S6.2, successively apply forces to the coupling of the magnitudes and directions specified below, through the center of the ball, with an onset rate of not more than 150 pounds per second, and maintain each specified force for 5 seconds.

(a) Three times the maximum gross vehicle weight rating of the trailer class specified on the tested item, in a forward longitudinal direction.

(b) Three times the maximum gross vehicle weight rating of the trailer class specified on the tested item, in a rearward longitudinal direction.

(c) One and one-third times the maximum gross vehicle weight rating of the trailer class specified on the tested item, in an upward vertical direction.

(d) One and one-third times the maximum gross vehicle weight rating of the trailer class specified on the tested item, in a downward vertical direction.

(e) Equal to the maximum gross vehicle weight rating of the trailer class specified on the tested item, in a rightward transverse direction.

(f) Equal to the maximum gross vehicle weight rating of the trailer class specified on the tested item, in a leftward transverse direction.

[F.R. Doc. 70-10454; Filed, Aug. 12, 1970; 8:45 a.m.]

### **[ 49 CFR Part 575 ]**

[Docket No. 28-8; Notice 2]

## **MOTOR VEHICLE SAFETY REGULATIONS**

### **Consumer Information; Trailer Towing Performance—Passenger Cars and Multipurpose Passenger Vehicles**

On October 5, 1968 (33 F.R. 14971) the Federal Highway Administrator published an advance notice of a proposed Consumer Information regulation concerning the performance of passenger cars and multipurpose passenger vehicles when towing trailers. This is a notice of proposed Consumer Information regulation, which would require manufacturers of passenger cars and multipurpose passenger vehicles to provide information concerning the trailer towing performance of their vehicles in specific test driving situations.

The proposed rule would require manufacturers to indicate the types of trailer hitch they recommend, and every trailer-towing package which they offer, for use with the vehicle. The manufacturer would then be required to specify the maximum size trailer, based upon predetermined specifications, which he recommends for use with each recommended hitch or towing package. The predetermined specifications for trailer size limit the maximum trailer size that may be recommended to a gross vehicle weight rating of 6,500 pounds. This limitation is consistent with the maximum gross vehicle weight rating of a trailer permitted to be equipped with a coupling for use with a ball-type hitch, as proposed in the notice of proposed rulemaking on "Trailer Hitches, Couplings, and Safety Chain" (Docket 1-20) which is being published simultaneously with this notice. For each recommended combination of vehicle equipment, hitch and maximum trailer size, the regulation would require performance data to be supplied. This data would consist of test results obtained when the vehicle and trailer are tested pursuant to two test procedures prescribed by the regulation.

The test procedures are designed to reflect handling characteristics and yaw stability, two major aspects of trailer-towing performance. The handling test requires the recording of the maximum speed at which the towing vehicle and trailer combination can remain within a 12-foot lane while negotiating a prescribed "S" curve. The test for yaw stability consists of driving the vehicle on a specified yaw stability test course that contains prescribed ridges, and recording the maximum speed at which the vehicle can remain within the course.

In addition to the above test results, the manufacturer would be required to furnish a diagram of the vehicle that indicates attachment points for all recommended towing hitches. Diagrams of the two test procedures would also be supplied. It is anticipated that the final rule will allow these diagrams to be simplified in the presentation to consumers. Finally, a description of all motor vehicle equipment in each recommended trailer-towing package would be included.

In consideration of the foregoing, it is proposed that Part 575 of Title 49, Code of Federal Regulations, be amended by adding a new Consumer Information regulation, § 575.108, *Trailer towing performance—passenger cars and multipurpose passenger vehicles*, as set forth below. Interested persons are invited to submit written data, views or arguments concerning the proposed regulation. Submissions are particularly requested concerning recommended unsprung weights and performance and design specifications for suspensions for the standardized trailers used in the proposed regulation. Submissions should refer to Docket 28-8, Notice No. 2 and be submitted to: Docket Section, National Highway Safety Bureau, 400 Seventh Street SW., Washington, D.C. 20591. It is requested, but not required, that 10 copies be submitted. All submissions received before the close of business on December 11, 1970, will be considered. All submissions will be available for examination in the docket room at the above address both before and after the closing date. Submissions filed after the above date will also be considered by the Bureau. The rulemaking action may, however, proceed at any time after that date, and comments received too late for consideration in regard to the action will be treated as suggestions for future rulemaking. The Bureau will continue to file relevant material, as it becomes available, in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new materials.



Proposed effective date: October 1, 1971.

This notice of proposed rule making is issued under the authority of sections 103, 112, and 119 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1392, 1401; 1407) and the delegations of authority at 49 CFR 1.51 (35 F.R. 4955) and 49 CFR 501.8 (35 F.R. 11126).

Issued on August 6, 1970.

RODOLFO A. DIAZ,  
Acting Associate Director, Motor  
Vehicle Programs, National  
Highway Safety Bureau.

**§ 575.108 Trailer towing performance—passenger cars and multipurpose passenger vehicles.**

(a) *Purpose and scope.* This section requires manufacturers to provide information on the trailer towing performance of passenger cars and multipurpose passenger vehicles.

(b) *Application.* This section applies to passenger cars and multipurpose passenger vehicles.

(c) *Definitions.* "Antisway Hitch" means a hitch that is designed to damp the horizontal rotation of the coupler on the hitch.

"Bumper hitch" means a hitch that is designed to be fastened only to the bumper assembly of the towing vehicle.

"Class A trailer" means a trailer that has a gross vehicle weight rating of 1,000 pounds or less.

"Class B trailer" means a trailer that has a gross vehicle weight rating of more than 1,000 pounds, but not more than 2,000 pounds.

"Class C trailer" means a trailer that has a gross vehicle weight rating of more than 2,000 pounds, but not more than 3,500 pounds.

"Class D trailer" means a trailer that has a gross vehicle weight rating of more than 3,500 pounds, but not more than 5,000 pounds.

"Class E trailer" means a trailer that has a gross vehicle weight rating of more than 5,000 pounds, but not more than 6,500 pounds.

"Coupling" means the part of the connecting mechanism between the towing and towed vehicle that connects the trailer tongue to the hitch.

"Frame hitch" means a hitch that is designed to be fastened to both the bumper and either the vehicle frame or unitized body.

"Hitch" means the part of the connecting mechanism between the towing and towed vehicle that is mounted on the towing vehicle, including the supporting platform and the ball.

"Tongue weight" means the vertical force in pounds imposed on a hitch by a trailer coupling.

"Trailer-towing package" means motor vehicle equipment, other than a hitch, that is recommended as a unit by a vehicle manufacturer for the purpose of equipping a vehicle to tow trailers.

"Weight distributing hitch" means a hitch that is designed to transfer part of the trailer tongue weight to the forward axle of the towing vehicle by exerting

leverage on both the trailer's and towing vehicle's frames or axles.

(d) *Required information.* Each manufacturer shall furnish the information in subparagraphs (1) through (5) of this paragraph, in the form illustrated in Figure 1, for each vehicle when (1) not equipped with a trailer-towing package, and (2) equipped with each trailer-towing package offered by the manufacturer. The manufacturer shall also furnish the information and diagrams required by subparagraphs (6) through (9) of this paragraph in proximity to Figure 1. Each vehicle in the group to which the information applies shall be capable, under the conditions specified in paragraph (e) and the procedures specified in paragraphs (f) and (g) of this section, of performing at least as well as the information indicates, when towing the test trailers described in Figure 2 for each class up to and including the largest recommended class. If a vehicle is not recommended for trailer towing or cannot maintain 30 m.p.h. in the test specified in paragraph (f) of this section using any hitch, the following statement shall be provided on the label required pursuant to § 567.4 of this chapter in lieu of the requirements of this section: "WARNING: This vehicle should not be used for towing trailers."

(1) *Vehicle description.* The group of vehicles to which the information applies, identified in the terms by which they are described to the public by the manufacturer.

(2) *Recommended trailer hitch.* The type or types of trailer hitch recommended for use with the vehicle. If a hitch type listed in the table is not recommended for use, the table shall so indicate by the words, "Not recommended".

(3) *Recommended maximum trailer classes.* The maximum recommended size of trailer, designated by class, for use with each recommended hitch type.

(4) *Maximum speed-handling test.* The maximum speed obtainable by the towing vehicle on an S-curve handling test course, in accordance with the procedure specified in paragraph (f) of this section.

(5) *Maximum speed-yaw stability test.* The maximum speed obtainable by the towing vehicle on a ridged yaw stability test course, in accordance with the procedure specified in paragraph (g) of this section.

(6) *Hitch attachment.* A diagram or diagrams of the vehicle which indicate recommended points of attachment and methods for attaching all types of trailer hitches specified pursuant to subparagraph (2) of this paragraph. The diagram shall include points of attachment of safety chains for trailer hitches specified in subparagraph (2) of this paragraph.

(7) *Recommended trailer-towing package.* A description of each trailer-towing package offered by the manufacturer that is recommended for use with the vehicle, listing separately all items of equipment included in the package.

(8) *Notice.* The following notice: "This information represents results obtained by skilled drivers under controlled road and vehicle conditions, using standardized test trailers, and may not reflect performance results obtained under other conditions."

(9) *Test course diagrams.* Figures 3 and 4, approximately labeled, illustrating test courses used for obtaining required information on handling characteristics and yaw stability.

(e) *Conditions.* The information provided in the format of Figure 1 shall represent a level of performance that can be equaled or exceeded by each vehicle in the group to which the table applies, under the following conditions, and using the procedures specified in paragraphs (f) and (g) of this section. Where a range of conditions is specified the vehicle shall be capable of meeting the performance level at all points within the range.

(1) The towing vehicle is connected to the test trailer and is loaded to its gross vehicle weight rating, which shall include the tongue weight of the test trailer as specified in Figure 2. The gross vehicle weight rating is distributed in proportion to the vehicle's gross axle weight ratings.

(2) The towing vehicle is "broken in", all adjustments made, and fuels and lubricants selected, according to the manufacturer's recommendations.

(3) All hitches are installed on the towing vehicle in accordance with the diagrams provided pursuant to paragraph (d) (6) of this section.

(4) The trailer used for testing conforms to the specifications for trailers contained in Figure 2, and is loaded so that its center of gravity falls on its longitudinal centerline.

(5) Ambient temperature is between 59° F. and 85° F., ambient dry barometric pressure is between 28.50 and 29.50 inches Hg and relative humidity is between 30 and 60 percent. Wind velocity is zero.

(6) Each roadway lane has a grade of zero percent and a surface with a skid number of 75.

(f) *Handling test procedure.* (1) Adjust the tongue weight as specified in Figure 2 for the handling test.

(2) Start the test with the towing vehicle and trailer in the center of the 12-foot lane of the test course specified in Figure 3.

(3) Drive the vehicle at a constant speed of 30 m.p.h. the length of the prescribed course, once in each direction.

(4) Increase the speed of the vehicle in subsequent runs until any part of the towing vehicle or trailer passes over the boundary at either edge of the 12-foot lane.

(5) Record the maximum speed at which all parts of the towing vehicle and trailer remain within the 12-foot lane throughout the course.

(g) *Yaw stability test procedure.* (1) Adjust the tongue weight as specified in Figure 2 for the yaw stability test.

(2) Drive the towing vehicle and trailer at a constant speed in the center



(3) Increase the speed of the towing vehicle in subsequent runs until any part of the towing vehicle or trailer passes the 10-foot mark.

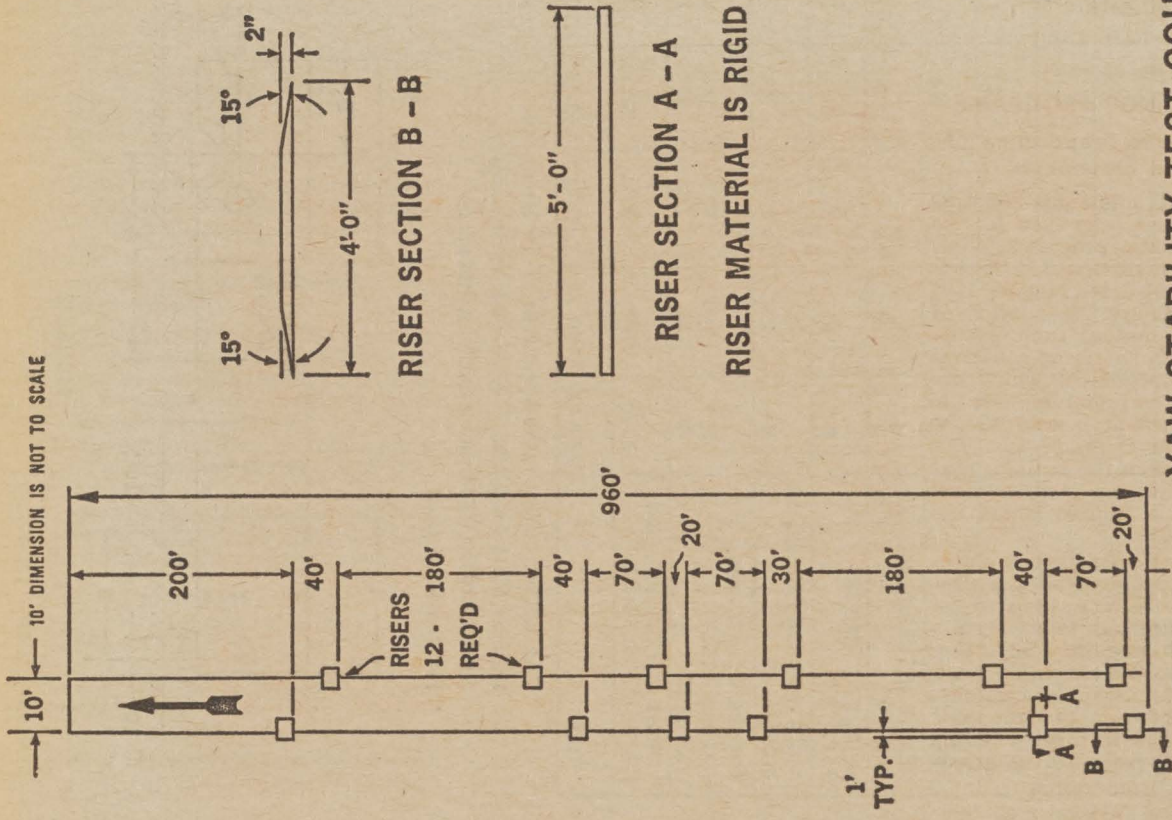
	VEHICLE WITHOUT TRAILER-TOWING PACKAGE	VEHICLE WITH RECOMMENDED TRAILER-TOWING PACKAGE NO. 1	VEHICLE WITH RECOMMENDED TRAILER-TOWING PACKAGE NO. 2
RECOMMENDED TYPE OF HITCH	MAXIMUM RECOMMENDED TRAILER CLASS MAXIMUM SPEED (30 MPH MIN.) HANDLING TEST (MPH) MAXIMUM SPEED - YAW STABILITY TEST (MPH)	MAXIMUM RECOMMENDED TRAILER CLASS MAXIMUM SPEED (30 MPH MIN.) - HANDLING TEST (MPH) MAXIMUM SPEED - YAW STABILITY TEST (MPH)	MAXIMUM RECOMMENDED TRAILER CLASS MAXIMUM SPEED (30 MPH MIN.) - HANDLING TEST (MPH) MAXIMUM SPEED - YAW STABILITY TEST (MPH)
BUMPER			
FRAME			
WEIGHT DISTRIBUTING			
OTHER			
ANY OF THE ABOVE (SPECIFY) WITH AN ANTI-SWAY FEATURE			

<b>CLASS A - 1000 OR LESS</b>				
<b>CLASS B - MORE THAN 1000 BUT NOT MORE THAN 2000</b>				
<b>CLASS C - 2000 "</b>	"	"	"	"
<b>CLASS D - 3500 "</b>	"	"	"	"
<b>CLASS E - 5000 "</b>	"	"	"	"
<b>CLASS F - 6500 "</b>	"	"	"	"

[illegible]

FEDERAL REGISTER, VOL. 35, NO. 157—THURSDAY, AUGUST 13, 1970

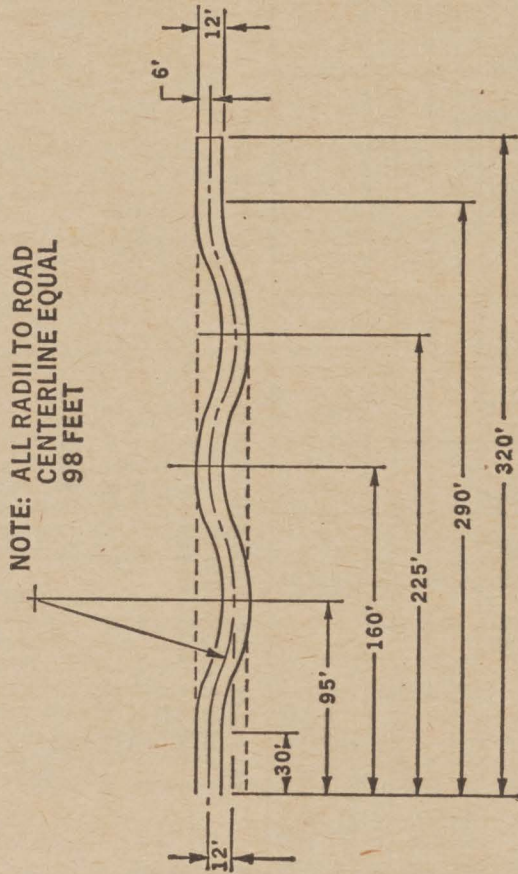




YAW STABILITY TEST COURSE

FIGURE 4

[F.R. Doc. 70-10453; Filed, Aug. 12, 1970; 8:45 a.m.]



HANDLING TEST COURSE

FIGURE 3



# SECURITIES AND EXCHANGE COMMISSION

[ 17 CFR Part 231 ]

[Release No. 33-5075]

## "EQUITY FUNDING" PROGRAMS

### Proposed Guide to Preparation of Registration Statements

In recent months numerous registration statements have been filed for so-called "equity funding" programs. These programs, which are discussed in Securities Act Release 4491 dated May 22, 1962 (27 F.R. 5190), involve the offering of securities, usually mutual fund shares, and the use of such shares as collateral for a loan the proceeds of which are then used to pay the premium on a life insurance policy which is sold to the customer at or about the same time. The Commission has taken the position that such a program involves an investment contract which is a security under the Securities Act of 1933.

In connection with registration statements relating to equity funding programs the Commission's Division of Corporation Finance has taken certain positions relative to disclosure and other matters involved in the offering of such programs. The Commission has authorized the publication of the proposed guide set forth below in order to bring the views of the Division to the attention of prospective registrants.

In order that the Division may have the benefit of the views of interested persons before the guide is published in de-

finitive form, it is requested that comments and suggestions on the proposed guide be submitted to Alan B. Levenson, Director, Division of Corporation Finance, Securities and Exchange Commission, Washington, D.C. 20549, on or before August 31, 1970. Pending publication of the guide in definitive form, the Division will generally follow the proposed guide as set forth below.

#### 57. REGISTRATION STATEMENTS RELATING TO "EQUITY FUNDING" PROGRAMS

1. The Calculation of the Registration Fee for Registration statements relating to equity funding programs should be based on all elements of the program, namely, the cost of the mutual fund shares plus cost of life insurance premiums (interest on loans and any other fees should also be considered).

2. The Introductory section of the prospectus should indicate prominently, preferably as the first item discussed, the effect of a decline in the value of mutual fund shares pledged as collateral, namely the need to furnish additional shares as collateral which if not done would result in the termination of the program and the sale of the collateral.

3. The registrant's prospectus must be accompanied by a prospectus of each mutual fund used in any hypothetical tabular illustration of the 10-year results of a program. If the tabular data is not shown for all funds offered, the mutual funds so illustrated should include the lowest performer among those offered. The name of the fund or funds should be stated. If during the past 3 years the registrant has discontinued offering a fund whose performance has been less than the lowest now shown, this fact should be disclosed.

4. The tabular data showing performance of mutual funds should be based on a funding program of the smallest size offered.

5. In the tabular illustration of program results, a column should be included re-

flecting the net value of the program to a participant upon termination (value of the program to participant upon termination minus the accumulated debt for insurance premium and interest). If the table includes a column showing the difference between cost of investment (including borrowings) and value at termination then the foregoing column need not be included.

6. In the forefront of the prospectus, preferably under risk factors, there should be set forth a summary, as described below, with an appropriate cross reference to the applicable hypothetical tables referred to contained elsewhere in the prospectus.

#### SUMMARY

	Plan A	Plan B	Plan C
Total payments made during the period set forth in the hypothetical table.....	\$_____	\$_____	\$_____
Total liquidating value of mutual fund shares upon termination.....	\$_____	\$_____	\$_____
Plus: Cash surrender value of life insurance.....	\$_____	\$_____	\$_____
Less: Amount needed for repayment of loan for insurance premium and interest.....	\$_____	\$_____	\$_____
Net value.....	\$_____	\$_____	\$_____
Net gain or (loss) if program liquidated.....	\$_____	\$_____	\$_____

If the issuer has been selling programs for a period less than that covered by the hypothetical tables and if the results for such shorter period would not be as favorable, the pertinent facts should be disclosed.

By the Commission, August 3, 1970.

[SEAL] ROSALIE F. SCHNEIDER,  
Recording Secretary.

[F.R. Doc. 70-10577; Filed, Aug. 12, 1970; 8:47 a.m.]



# Notices

## DEPARTMENT OF DEFENSE

### Office of the Secretary

[DOD Directive 5100.50, June 23, 1970]

## PROTECTION AND ENHANCEMENT OF ENVIRONMENTAL QUALITY

The Secretary of Defense approved the following June 23, 1970:

### REFERENCES:

- (a) DOD Directive 5100.50, "Environmental Pollution Control," January 4, 1966 (hereby canceled) (31 F.R. 849).
- (b) The Federal Water Pollution Control Act, Act of June 30, 1948 (62 Stat. 1155), as amended by the Act of October 2, 1965 (79 Stat. 903; 33 U.S.C. 466 et seq.).
- (c) The Clean Air Act, Act of July 14, 1955, as amended (42 U.S.C. 1857 et seq.).
- (d) The Solid Waste Disposal Act, October 20, 1965 (42 U.S.C. 3251-3259).
- (e) Message of the President to Congress, February 10, 1970 (H.R. Doc. 91-225).
- (f) Executive Order 11472, "Establishing the Environmental Quality Council and the Citizens' Advisory Committee on Environmental Quality," June 3, 1969.
- (g) The National Environmental Policy Act of 1969 (Public Law 91-190, Jan. 1, 1970).
- (h) Executive Order 11507, "Prevention, Control, and Abatement of Air and Water Pollution at Federal Facilities," February 4, 1970.
- (i) DOD Directive 6015.5, "Joint Utilization of Military Health and Medical Facilities and Services," December 5, 1955.
- (j) DOD Directive 4000.19, "Basic Policies and Principles for Interservice Support," August 5, 1967.
- (k) DOD Directive 5410.18, "Community Relations," February 9, 1968 (32 CFR Part 237).
- (l) DOD Directive 5500.5, "Natural Resources—Conservation and Management," May 24, 1965 (32 CFR Part 263).

**I. Purpose.** This Directive assigns responsibilities and establishes procedures for:

A. The use of Department of Defense resources in the protection and enhancement of environmental quality in consonance with Federal policy as expressed in references (a) through (h); and

B. The establishment of a Department of Defense Environmental Pollution Control Committee to facilitate interservice coordination and resolution of interservice problems on environmental pollution and to insure the responsiveness of the Department of Defense to requirements placed upon it by nonmilitary agencies.

**II. Cancellation.** Reference (a) is hereby superseded and canceled.

**III. Applicability.** The provisions herein apply to all elements of the Department of Defense and to all contractor activities located on real property under the jurisdiction of the Department of Defense.

**IV. Definitions.** A. "Environmental quality standards" shall mean the water quality standards adopted pursuant to reference (b); air quality standards

adopted pursuant to reference (c); and such other standards as may from time to time be established for the protection and enhancement of environmental quality.

B. "Environmental performance specifications" shall mean permissible limits of emissions, discharges or other values applicable to activities that would provide for conformance with environmental quality standards to protect health and welfare.

C. Environmental pollution is that condition which results from the presence of chemical, physical or biological agents in the air, water or soil which so alter the natural environment that an adverse effect is created on human health or comfort, fish and wildlife, other aquatic resources, and plant life, structures and equipment to the extent of producing economic loss, impairing recreational opportunity or marring natural beauty.

**V. Policy.** A. Pollution of the environment by the installations, facilities, equipment, vehicles, and other property owned and/or operated by the DOD shall be controlled.

B. All Department of Defense components will demonstrate leadership in pollution abatement and will cooperate in the development of pollution abatement programs with local communities. Defense components will take positive action to accelerate the pace of corrective measures to conform to environmental quality standards at installations.

C. Policies and procedures for the prevention, control and abatement of air and water pollution shall comply with reference (h).

D. Where resources to accomplish pollution control are limited, priority of effort will be afforded in accordance with the following order: (1) Those situations which constitute a direct hazard to the health of man; (2) those having economic implications; and (3) those which affect the recreational and esthetic value of our natural resources.

E. Maximum effort will be made to incorporate environmental pollution preventive measures in the basic design for weapon systems, military materiel, tests and exercises, and projects for rehabilitation or modification of existing structures and new construction.

F. Department of Defense components will cooperate fully with the Department of Interior, the Department of Health, Education, and Welfare, and other Federal agencies, and will comply with such published standards and criteria relating to pollution abatement for Federal agencies as are promulgated by those agencies or by State and local agencies. Where conflicts exist as to the applicability of State, local, or Federal standards to the environmental pollution problem, action will be taken by Department of Defense components to resolve these matters.

G. Where, in the interest of national defense, it is not considered practicable to comply with above standards and criteria, the matter shall be referred to the Assistant Secretary of Defense (Health and Environment) or his designee for resolution.

H. Environmental pollution surveillance resources of each DOD component will be utilized to the extent that circumstances permit in interservice support of other DOD components in accordance with the provisions of reference (i) and (j).

I. Pollution abatement at overseas installations will, to the extent practicable, conform to the foregoing policies particularly with respect to cooperation with community programs (see 32 CFR Part 237).

**VI. Responsibilities.** A. The Assistant Secretary of Defense (Health and Environment) or his designee shall have the principal staff responsibility for administration of this directive and for:

1. Assuring effective coordination with other elements of the Office of the Secretary of Defense and with nonmilitary agencies involved in environmental quality matters.

2. Identifying and evaluating on a continuing basis activities and conditions affecting environmental quality, including but not limited to air and water pollution, solid waste management and disposal practices, noise, sources of thermal and electromagnetic energy, chemical agents, and biological research materials.

3. Insuring that environmental quality problems associated with the use and productions of new materials are recognized and provisions are made for their abatement and control.

4. Implementing pertinent executive branch guidance concerning environmental quality programs.

5. Providing advice on the probable environmental consequences of major activities of DOD components affecting the quality of the environment.

6. Management control of the DOD Environmental Pollution Control Committee.

B. The Assistant Secretary of Defense (Installations and Logistics) or his designee shall be responsible for:

1. Programing, planning, design criteria, and technical review of real property facilities for the prevention or correction of environmental pollution.

2. Maintenance, operation, and repair of real property facilities for the prevention or correction of environmental pollution.

3. Establishing environmental values involved in military construction including architecture and aesthetics of buildings and installations.



4. Insuring the development and management of an effective land management and natural resource conservation program at all military installations.

5. Assisting the Assistant Secretary of Defense (Health and Environment) in the prevention of environmental pollution by contributing to and coordinating in the publication of procedures for pollution control in conformity with the general standards of this directive.

C. The Director of Defense Research and Engineering or his designee shall be responsible for:

1. Performing such research as necessary to define and study environmental pollution problems associated with military requirements including chemicals and weapons systems.

2. Arranging for the prompt transmission to the appropriate Federal agency the results of defense research concerning toxic hazards and environmental pollution.

3. Coordinating research conducted by the Department of Defense with other Federal agencies.

4. Assuring that consideration is given to the control of environmental pollution in research, development, test, and evaluation projects and programs.

D. The Secretaries of the military departments and the Directors of Defense Agencies shall:

1. Identify environmental quality problems and take corrective measures in accordance with the policy guidance set forth in section V and the general standards of section VII.

2. Make provisions in their programming budget estimates and financing programs for providing environmental quality consistent with the provisions of this directive. The cost of environmental quality programs will be the responsibility of the military departments or Defense Agencies involved and must be accomplished within financing available to the military department or Defense Agency.

3. Institute necessary measures to monitor environmental quality control methods to assure that these methods maintain the required general standards of quality.

E. Commanders of unified and specified commands will implement subsection V.I.

VII. *General standards.* A. Heads of DOD components shall insure that all activities under their jurisdiction meet the following standards:

1. All DOD components shall be consistent with applicable environmental quality standards as defined herein, or comparable general standards adopted pursuant to State or local law.

2. The use of municipal or regional waste collection or disposal systems shall be the preferred method of disposal of liquid and solid wastes from DOD activities. Whenever use of such a system is not feasible or appropriate, the heads of DOD components concerned shall be responsible for the satisfactory disposal of its wastes, including, when appropriate, installing and operating their own facilities in a manner consistent with

this section. This responsibility shall also include the provision of competent manpower and laboratory and other supporting facilities when appropriate. Operators of Defense pollution control facilities shall meet levels of proficiency consistent with the operator certification requirements applicable to their location.

3. The use, storage, and handling of all materials, including but not limited to, solid fuels, ashes, petroleum products, and organic liquids, shall be carried out so as to minimize the possibilities for pollution of the environment. When appropriate, preventive measures shall be installed to entrap spillage or discharge or otherwise to prevent accidental pollution of the environment.

4. No waste shall be disposed or discharged in such a manner as could result in the pollution of ground water which would endanger the health or welfare of affected personnel.

5. Discharges of radioactivity shall be in accordance with the rules, regulations, or requirements of the Atomic Energy Commission and the policies and guidance of the Federal Radiation Council as published in the FEDERAL REGISTER.

B. In those cases where there are no environmental quality standards or other comparable standards established pursuant to State or local law, the matter will be referred to the Assistant Secretary of Defense (Health and Environment) for the determination and issuance of appropriate standards.

VIII. *The Department of Defense Environmental Pollution Control Committee.* There is hereby established the Department of Defense Environmental Pollution Control Committee. This Committee will act in an advisory capacity to the Assistant Secretary of Defense (Health and Environment) or his designee in discharging his overall responsibilities for environmental quality matters.

A. *Organization.* The Committee shall consist of:

1. A chairman, who will report to the Assistant Secretary of Defense (Health and Environment). The chairman shall be an officer or civilian of high professional qualifications and demonstrated ability in pollution abatement and in interagency coordination. He will be selected by the Assistant Secretary of Defense (Health and Environment) in coordination with the Assistant Secretary of Defense (Installations and Logistics), or their designees.

2. A membership which shall consist of (a) not more than three members from each military department representing the engineering, medical, and such other staff elements as may be appropriate, (b) one member from the Defense Supply Agency, and (c) one liaison member each from the Office of the Assistant Secretary of Defense (Health and Environment), Office of the Assistant Secretary of Defense (Installations and Logistics), Office of the Director, Defense Research and Engineering, and the Organization of the Joint Chiefs of Staff.

B. *Duties.* 1. Develop, propose and review coordinated policies and procedures with respect to pollution control within the Department of Defense.

2. Facilitate interservice coordination and resolution of interservice problems on environmental pollution control.

3. Provide Department of Defense representation, as required, in dealing with other agencies of the Federal, State, or local governments, or private interests in matters of pollution control.

4. Represent the Department of Defense in the formulation or review of such standards and criteria as may be developed by other Federal agencies.

5. Maintain coordination and cooperation with other Department of Defense Agencies and Federal agencies having an interest in pollution control.

6. Arrange for the coordinated accumulation of data for, and the preparation of such reports as may be required by or of the Department of Defense.

7. Undertake such special studies or reviews as may be required by the Assistant Secretary of Defense (Health and Environment) or his designee.

IX. *Effective date and implementation.* This directive is effective immediately. Each Department of Defense component shall publish implementing regulations and submit three (3) copies to the Assistant Secretary of Defense (Health and Environment) within sixty (60) days of the date of this directive. Implementation affecting the obligations of contractors shall, to the extent necessary, be accomplished in the Armed Services Procurement Regulation.

MAURICE W. ROCHE,  
Director, Correspondence and  
Directive Division, OASD (Administration).

[F.R. Doc. 70-10600; Filed, Aug. 12, 1970;  
8:48 a.m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[R 1390]

### CALIFORNIA

### Notice of Classification of Public Lands for Multiple-Use Management

AUGUST 4, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and the regulations in 43 CFR Parts 2410 and 2460, the public lands within the areas described below are hereby classified for multiple-use management. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Publication of this notice has the effect of segregating (a) the public lands described below from appropriation only



under the agricultural land laws (43 U.S.C. Chapters 7 and 9; 25 U.S.C. sec. 334) and from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171) and (b) the lands described in paragraph 5 from appropriation under the mining laws (30 U.S.C. Chapter 2). The lands shall remain open to all other applicable forms of appropriation.

3. Many constructive comments were received following publication of a notice of proposed classification (34 F.R. 6015) and at the public hearing held on April 10, 1969, at Indio, Calif. Minor changes in the tracts being classified for multiple-use management have been made. The following described lands have been deleted from the proposed classification for disposal (R 1390-A) published in the FEDERAL REGISTER (34 F.R. 6017) on April 2, 1969, and are added to the lands being classified for multiple-use management in this notice:

#### SAN BERNARDINO MERIDIAN

##### RIVERSIDE AND IMPERIAL COUNTIES

- T. 3 S., R. 3 E.,  
Sec. 2, lots 1 and 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
and all public land in S $\frac{1}{2}$ ;  
Sec. 4, portion of section south of Colorado  
River aqueduct;  
Sec. 10, N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$   
NE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$   
NW $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$   
NW $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and W $\frac{1}{2}$   
NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 18, lots 3 and 10;  
Sec. 20, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ .  
T. 2 S., R. 5 E.,  
Sec. 34, all public lands in N $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$   
NE $\frac{1}{4}$ .  
T. 3 S., R. 5 E.,  
Sec. 34, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 5 S., R. 5 E.,  
Sec. 26.  
T. 3 S., R. 6 E.,  
Sec. 14, all public lands lying south of the  
Colorado River aqueduct.  
T. 4 S., R. 6 E.,  
Sec. 6, lots 3 to 7, inclusive, lot 2 of SW $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ NW $\frac{1}{4}$ .  
T. 4 S., R. 7 E.,  
Secs. 20, 22, and 26.  
T. 5 S., R. 7 E.,  
Sec. 2, lots 3, 6, and 7, and lots 1 and 2 of  
NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , and S $\frac{1}{2}$ SW $\frac{1}{4}$   
NE $\frac{1}{4}$ .  
T. 6 S., R. 7 E.,  
Sec. 30, lots 1 to 4, inclusive, NE $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ ,  
and SE $\frac{1}{4}$ ;  
Sec. 32, N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and  
S $\frac{1}{2}$ .  
T. 12 S., R. 12 E.,  
Sec. 32, SW $\frac{1}{4}$ SW $\frac{1}{4}$ .  
T. 13 S., R. 12 E.,  
Sec. 9, lot 1, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 10, SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 15, W $\frac{1}{2}$ ;  
Sec. 25, SW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 10 S., R. 14 E.,  
Sec. 28, NE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 11 S., R. 14 E.,  
Sec. 12, NE $\frac{1}{4}$ NE $\frac{1}{4}$ .  
T. 14 S., R. 14 E.,  
Sec. 29, lots 19 and 20.  
T. 13 S., R. 16 E.,  
Sec. 5, lots 3, 6, and 18;  
Sec. 9, W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 34, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 15 S., R. 16 E.,  
Sec. 14, W $\frac{1}{2}$ SE $\frac{1}{4}$ .  
T. 16 S., R. 16 E.,  
Sec. 25, SE $\frac{1}{4}$ NW $\frac{1}{4}$ .

The proposed disposal classification R 1390-A is hereby terminated as to the above lands.

The following described lands have been deleted from the proposed classification for multiple-use management (R 1390) published in the FEDERAL REGISTER (34 F.R. 6015) on April 2, 1969:

#### SAN BERNARDINO MERIDIAN

##### RIVERSIDE AND IMPERIAL COUNTIES

- T. 6 S., R. 10 E.,  
Sec. 2, N $\frac{1}{2}$ ;  
Secs. 10, 12 and 14.

The proposed multiple-use classification, R 1390, is hereby terminated as to the above lands.

The record showing the comments received and other information is on file and can be examined in the Riverside District and Land Office, Riverside, Calif.

4. The following described lands located within Imperial and Riverside Counties are classified for multiple-use management.

#### SAN BERNARDINO MERIDIAN

- T. 2 S., R. 3 E.,  
Sec. 1, N $\frac{1}{2}$ ;  
Sec. 2, W $\frac{1}{2}$ ;  
Secs. 3 to 11, inclusive;  
Sec. 15, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Secs. 16, 17, and 18;  
Sec. 19, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and  
NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Secs. 20 and 21;  
Sec. 22, W $\frac{1}{2}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$   
SE $\frac{1}{4}$ ;  
Secs. 23 and 24;  
Sec. 25, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 26;  
Sec. 27, W $\frac{1}{2}$  and SE $\frac{1}{4}$ ;  
Secs. 28 and 29;  
Sec. 30, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 31, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 32, N $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$   
NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$   
SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Secs. 33 and 34;  
Sec. 35, NE $\frac{1}{4}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 36.  
T. 3 S., R. 3 E.,  
Sec. 2, lots 1 and 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
all public lands in S $\frac{1}{2}$ ;  
Sec. 4;  
Sec. 10, N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$   
NE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$   
NW $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$   
NW $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and W $\frac{1}{2}$   
NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 12, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , and S $\frac{1}{2}$   
SE $\frac{1}{4}$ ;  
Sec. 14, E $\frac{1}{2}$ E $\frac{1}{2}$ ;  
Sec. 18, lots 1, 2, 3, and 10, NE $\frac{1}{4}$ , and E $\frac{1}{2}$   
NW $\frac{1}{4}$ ;  
Sec. 20, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 24, lots 1, 2, 8, 17, 18, 19, and 20, and  
N $\frac{1}{2}$ N $\frac{1}{2}$ .  
T. 2 S., R. 4 E.,  
Secs. 2, 4, and 6;  
Sec. 8, SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Secs. 10 and 12;  
Sec. 14, N $\frac{1}{2}$ .  
T. 3 S., R. 4 E.,  
Sec. 30, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 4 S., R. 4 E.,  
Sec. 16.  
T. 2 S., R. 5 E.,  
Secs. 4, 6, 8, and 18;  
Sec. 34, all public lands in N $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$   
NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$   
SW $\frac{1}{4}$ .

- T. 3 S., R. 5 E.,  
Sec. 24, lots 3 and 4, W $\frac{1}{2}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 30, lots 1 and 2 of SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 32, NE $\frac{1}{4}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ ;  
Sec. 39, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 5 S., R. 5 E.,  
Secs. 22, 26, and 34;  
Sec. 36, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ .  
T. 6 S., R. 5 E.,  
Sec. 2, lots 1 to 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$ , NE $\frac{1}{4}$   
SW $\frac{1}{4}$ , and N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 4, lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 10, S $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;  
Sec. 12, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 14;  
Sec. 36, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and  
SE $\frac{1}{4}$ .  
T. 8 S., R. 5 E.,  
Secs. 2, 4, 6, 8, 10, 12, 14, 18, 20, 22, 24, 26,  
28, 30, 32, and 34;  
Sec. 36, SW $\frac{1}{4}$ .  
T. 3 S., R. 6 E.,  
Sec. 6, all public lands in lots 1, 2, and 3  
lying south of the Colorado River Aqueduct,  
lot 5, 1.82 acres of SE $\frac{1}{4}$ NW $\frac{1}{4}$ , 0.034  
acre of E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 14, all public lands lying south of the  
Colorado River Aqueduct;  
Secs. 30 and 32.  
T. 4 S., R. 6 E.,  
Sec. 4, lots 1 to 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$ , and  
S $\frac{1}{2}$ ;  
Sec. 6, lots 3 to 7, inclusive, lot 2 of SW $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 10.  
T. 6 S., R. 6 E.,  
Secs. 2, 10, and 14;  
Sec. 18, lots 1 to 4, inclusive, NE $\frac{1}{4}$ , E $\frac{1}{2}$   
NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Secs. 22, 26, and 28;  
Sec. 30, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
Secs. 32, 34, and 36.  
T. 7 S., R. 6 E.,  
Secs. 2, 4, 6, 12, 14, 24, and 36.  
T. 8 S., R. 6 E.,  
Sec. 2, N $\frac{1}{2}$  and N $\frac{1}{2}$ S $\frac{1}{2}$ ;  
Secs. 4, 8, 10, 12, and 14;  
Sec. 16, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 18;  
Sec. 20, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Secs. 22, 24, 26, 28, 30, 32, 34, and 36.  
T. 4 S., R. 7 E.,  
Secs. 20, 22, and 26.  
T. 5 S., R. 7 E.,  
Sec. 2, lots 3, 6, and 7, and lots 1 and 2 of  
NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , and S $\frac{1}{2}$ SW $\frac{1}{4}$   
NE $\frac{1}{4}$ .  
T. 6 S., R. 7 E.,  
Secs. 18 and 30;  
Sec. 32, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$   
SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and SE $\frac{1}{4}$ .  
T. 7 S., R. 7 E.,  
Secs. 4, 6, and 8;  
Sec. 10, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , W $\frac{1}{2}$   
NE $\frac{1}{4}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Secs. 14, 16, 18, 20, 22, 24, 26, 28, 30, 32,  
and 34;  
Sec. 36, N $\frac{1}{2}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , and  
SE $\frac{1}{4}$ .  
T. 8 S., R. 7 E.,  
Secs. 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24,  
26, 28, 30, 32, 34, and 36.  
T. 4 S., R. 8 E.,  
Secs. 2, 4, 6, and 8;  
Sec. 10, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
and SE $\frac{1}{4}$ ;  
Secs. 12, 14, 18, 20, 22, 24, 26, 28, and 34.  
T. 5 S., R. 8 E.,  
Secs. 2, 12, 14, 22, 24, and 26.  
T. 6 S., R. 8 E.,  
Sec. 12, E $\frac{1}{2}$ .  
T. 8 S., R. 8 E.,  
Secs. 16, 18, 22, 26, 30, 32, and 36.  
T. 4 S., R. 9 E.,  
Secs. 6, 8, 10, 18, 20, 22, 24, 26, 28, 30,  
32, and 34.



T. 5 S., R. 9 E.,  
Secs. 2, 4, 6, 8, 10, 12, 14, 18, and 20;  
Sec. 22, N $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
Secs. 24, 26, 28, 30, 32, and 34.

T. 6 S., R. 9 E.,  
Secs. 2, 4, 6, 8, and 10;  
Sec. 18, N $\frac{1}{2}$ ;  
Sec. 20, N $\frac{1}{2}$ NE $\frac{1}{4}$  and E $\frac{1}{2}$ ;  
Sec. 22;  
Sec. 28, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ .

T. 11 S., R. 9 E.,  
Secs. 2, 4, 6, and 10;  
Sec. 12, S $\frac{1}{2}$ ;  
Secs. 14, 22, 24, and 26.

T. 12 S., R. 9 E.,  
Secs. 2, 4, and 6.

T. 13 S., R. 9 E.,  
Sec. 5, lots 3 to 7, inclusive, and SW $\frac{1}{4}$ ;  
Sec. 8, lots 1 to 6, inclusive, N $\frac{1}{2}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 9, lots 1 to 7, inclusive, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;  
Sec. 16, lots 1 to 6, inclusive, and N $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
Sec. 17, lots 1 to 8, inclusive, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;  
Sec. 19, lots 3 to 6, and 11 to 16, inclusive, N $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 20, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 21, lots 1, 2, and 3, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
Sec. 28, N $\frac{1}{2}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 29, lots 1, 2, 3, 4, and 6, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 30, lots 8 to 14, inclusive, lots 17, 18, 19, and 24, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ ;  
Sec. 31, lots 11, 16, 19, 26, and 27, NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 32, lots 2 to 6, inclusive, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and N $\frac{1}{2}$ S $\frac{1}{2}$ ;  
Sec. 33, lots 3, 5, 6, 7, and 8, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Secs. 34 and 35;  
Sec. 36, lots 1, 3, 5, 6, 7, 8, 9, and 10, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , and N $\frac{1}{2}$ SW $\frac{1}{4}$ .

T. 14 S., R. 9 E.,  
Sec. 1, lots 2, 3, and 4, S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
Secs. 2, 3, and 4;  
Sec. 5, lots 1 to 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 6, lots 1, 4, 5, 6, 7, 8, 11, 12, and 15, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Secs. 11, 12, 13, and 14.

T. 15 S., R. 9 E.,  
Secs. 28 to 30, inclusive;  
Secs. 25 and 26, excluding patented M.A. 5874;  
Secs. 27 to 30, inclusive;  
Sec. 31, lots 5 to 28, inclusive, and NE $\frac{1}{4}$ ;  
Sec. 32, N $\frac{1}{2}$  and SE $\frac{1}{4}$ ;  
Secs. 33 to 35, inclusive;  
Sec. 36, excluding patented M.S. 5874.

T. 16 S., R. 9 E.,  
Sec. 1, excluding patented M.S. 6012;  
Secs. 2 to 4, inclusive;  
Sec. 5, lots 5, 6, S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
Sec. 6, lots 10 to 33, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
Secs. 7 to 9, inclusive;  
Sec. 10, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$  and W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Secs. 11 and 12;  
Sec. 13, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 14;  
Sec. 15, lots 1 and 8, N $\frac{1}{2}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ , and lots 2, 3, 4, 5, 6, and 7 of Tract 37;  
Sec. 16, lots 1 and 2, and lots 3, 4, 5, and 6 of Tract 37;  
Sec. 17, lots 1, 2, 6, and 7, NW $\frac{1}{4}$ , and lots 3, 4, 5, 8, 9, and 10 of Tract 40;  
Secs. 18, 19, and 20;  
Sec. 21, lots 1, 2, 11, 12, 13, and 14 of Tract 49, Tract 48, lots 6, 7, 18, and 19 of Tract 47;

Sec. 22, lots 1, 2, 11, and 12, Tracts 50, 52-D and 52-E, lots 6, 7 and 18 of Tract 49, and those portions of Tracts 52-C and 52-F located in sec. 22;  
Sec. 23, lots 1, 8, 9, and 16, E $\frac{1}{2}$ E $\frac{1}{2}$ , Tracts 52-A and 52-H, and those portions of Tracts 51, 52-C and 52-F located in sec. 23;  
Sec. 24, lots 1, 4, 5, and 8, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , and that portion of Tract 53 located in sec. 24;  
Sec. 28, lots 13, 14, 25, and 26 of Tract 58, lots 6, 7, 19, and 20 of Tract 61, Tracts 59 and 60;  
Secs. 29 to 32, inclusive;  
Sec. 33, lots 7, 8, 14, 15, 16, 17, 19, and 20 of Tract 63, lot 18 SW $\frac{1}{4}$ SW $\frac{1}{4}$ , lots 13 and 22 of Tract 66, lots 1 and 2 of Tract 65, lots 3, 4, 9, and 10 of Tract 59, lots 5 and 6 of Tract 62.

T. 17 S., R. 9 E.,  
Sec. 1;  
Sec. 2, lots 5 and 8, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
Secs. 3 to 14, inclusive;  
Sec. 15, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
Sec. 16, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Secs. 17 and 18;  
Sec. 19, lots 5, 6, 7, 11, and 12;  
Sec. 20, lots 1, 3, 4, 5, 6, 7, 10, and 11, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 21, lots 1 to 7, inclusive, and N $\frac{1}{2}$ N $\frac{1}{2}$ ;  
Secs. 22 to 27, inclusive;  
Sec. 28, lots 1 to 5, inclusive, and S $\frac{1}{2}$ ;  
Sec. 29;  
Sec. 30, lots 5, 6, 7, 8, and 20;  
Sec. 32, N $\frac{1}{2}$ ;  
Secs. 33 to 36, inclusive.

T. 18 S., R. 9 E.,  
Sec. 1, lots 2 to 5, inclusive;  
Secs. 2 and 3;  
Sec. 7, lots 6 to 9, inclusive, and N $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
Sec. 10, lots 1 to 4, inclusive;  
Sec. 11, lots 1, 2, and 3.

T. 16 $\frac{1}{2}$  S., R. 9 $\frac{1}{2}$  E.,  
Sec. 1, lots 5 to 8, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
Sec. 2.

T. 4 S., R. 10 E.,  
Secs. 20, 28, 30, 32, and 34.

T. 5 S., R. 10 E.,  
Secs. 2, 4, 6, 8, 10, 12, 14, 18, 20, 22, 24, 26, 28, 30, 32, and 34.

T. 6 S., R. 10 E.,  
Sec. 2, S $\frac{1}{2}$ ;  
Secs. 4, 6, 8, 20, 22, 24, 26, and 28;  
Sec. 30, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
Secs. 32 and 34.

T. 7 S., R. 10 E.,  
Secs. 2, 4, 6, 8, 10, 12, and 14;  
Sec. 22, N $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 24;  
Sec. 26, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

T. 11 S., R. 10 E.,  
Secs. 6, 8, 18, 20, 22, 26, 28, 30, 32, and 34.

T. 14 S., R. 10 E.,  
Secs. 6 and 7.

T. 15 S., R. 10 E.,  
Secs. 6, 7, 19, 20, 21, 29, and 30;  
Sec. 31, lots 1, 2, 3, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Secs. 32 and 33.

T. 16 S., R. 10 E.,  
Sec. 4;  
Sec. 5, NE $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
Sec. 6, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$  excluding patented M.S. 6010;  
Secs. 7, 8, 9, 17, 18, and 19;  
Sec. 20, lots 1, 3, 7, 8, 10, and 12, N $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and lots 2 and 4 of Tract 37;

Sec. 21, lots 1, 3, 5, 7, 12, and 14, lots 2, 4, 6, 9, 10, 11, 18, 19, and 20 of Tract 38, lots 8 and 21 of Tract 37, and those portions of Tracts 39 and 59 located in sec. 21, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 22, lot 2 of Tract 39;  
Sec. 28, lots 22 and 24, and those portions of Tracts 42, 59, and 62 located in sec. 28;  
Sec. 33, lots 2, 3, 8, 9, 12, and 16, W $\frac{1}{2}$ SE $\frac{1}{4}$ , and that portion of Tract 62 located in sec. 33;  
Sec. 35.

T. 16 $\frac{1}{2}$  S., R. 10 E.,  
Sec. 1;  
Sec. 2, lots 1 to 8, inclusive, N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ , and E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 3;  
Sec. 4, lots 1, 2, 7, and 8, S $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 5, S $\frac{1}{2}$ S $\frac{1}{2}$ .

T. 17 S., R. 10 E.,  
Secs. 1 and 2;  
Sec. 3, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , and N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 4, lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 5, SW $\frac{1}{4}$ ;  
Secs. 6 to 9, inclusive;  
Sec. 10, S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
Sec. 11, NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
Secs. 12 to 15, inclusive;  
Secs. 17 to 35, inclusive.

T. 5 S., R. 11 E.,  
Secs. 20, 28, 30, and 32.

T. 6 S., R. 11 E.,  
Sec. 2, that portion south of the Colorado River Aqueduct;  
Sec. 4, lot 2, W $\frac{1}{2}$  of lot 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
Secs. 6, 8, 10, 12, and 14;  
Sec. 18, W $\frac{1}{2}$  and SE $\frac{1}{4}$ ;  
Secs. 20, 22, 24, 26, 28, 30, 32, and 34.

T. 7 S., R. 11 E.,  
Secs. 2, 4, 6, 8, 10, 12, 14, 18, 20, 22, 24, 26, 28, 30, 32, and 34.

T. 8 S., R. 11 E.,  
Sec. 2, lot 2 of NE $\frac{1}{4}$ , lot 2 of NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 4, lot 2 of NE $\frac{1}{4}$  and lot 2 of NW $\frac{1}{4}$ .

T. 17 S., R. 11 E.,  
Secs. 1 to 5, inclusive;  
Sec. 6, lots 1 to 6, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 7 to 15, inclusive;  
Sec. 17;  
Sec. 18, lot 4, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Secs. 19 to 25, inclusive.

T. 12 S., R. 12 E.,  
Sec. 32, SW $\frac{1}{4}$ SW $\frac{1}{4}$ .

T. 13 S., R. 12 E.,  
Sec. 9, lot 1, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 10, SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 15, W $\frac{1}{2}$ ;  
Sec. 25, SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

T. 10 S., R. 14 E.,  
Sec. 28, NE $\frac{1}{4}$ SE $\frac{1}{4}$ .

T. 11 S., R. 14 E.,  
Sec. 12, NE $\frac{1}{4}$ NE $\frac{1}{4}$ .

T. 14 S., R. 14 E.,  
Sec. 29, lots 19 and 20.

T. 13 S., R. 16 E.,  
Sec. 5, lots 3, 6, and 18;  
Sec. 9, W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 34, SW $\frac{1}{4}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$ .

T. 15 S., R. 16 E.,  
Sec. 14, W $\frac{1}{2}$ SE $\frac{1}{4}$ .

T. 16 S., R. 16 E.,  
Sec. 25, SE $\frac{1}{4}$ NE $\frac{1}{4}$ .

The lands described above aggregate approximately 401,657 acres.

5. Publication of this notice has the effect of further segregating the following described lands from appropriation under the mining laws (30 U.S.C. ch. 2) but not the mineral leasing laws.



SAN BERNARDINO MERIDIAN  
RIVERSIDE AND IMPERIAL COUNTIES  
Dead Indian Creek Area

T. 5 S., R. 5 E.,  
Sec. 34.  
T. 6 S., R. 5 E.,  
Sec. 2, lots 1 to 4, inclusive,  $S\frac{1}{2}N\frac{1}{2}$ ,  
 $NE\frac{1}{4}SW\frac{1}{4}$ , and  $N\frac{1}{2}SE\frac{1}{4}$ ;  
Sec. 4, lots 1 and 2,  $S\frac{1}{2}NE\frac{1}{4}$  and  $SE\frac{1}{4}$ ;  
Sec. 10,  $S\frac{1}{2}NW\frac{1}{4}$  and  $SW\frac{1}{4}$ ;  
Sec. 12,  $S\frac{1}{2}NE\frac{1}{4}$ ,  $SE\frac{1}{4}SW\frac{1}{4}$ , and  $SE\frac{1}{4}$ ;  
Sec. 14.

T. 6 S., R. 6 E.,  
Sec. 18, lots 1 to 4, inclusive,  $NE\frac{1}{4}$ ,  $E\frac{1}{2}$   
 $NW\frac{1}{4}$ ,  $SE\frac{1}{4}SW\frac{1}{4}$ , and  $SE\frac{1}{4}$ .

Mecca Hills Recreation Area

T. 6 S., R. 9 E.,  
Sec. 22;  
Sec. 28,  $N\frac{1}{2}$ ,  $N\frac{1}{2}SW\frac{1}{4}$ ,  $SE\frac{1}{4}SW\frac{1}{4}$ , and  
 $SE\frac{1}{4}$ .

T. 6 S., R. 10 E.,  
Secs. 20, 26 and 28;  
Sec. 30, lots 3 and 4,  $NE\frac{1}{4}$ ,  $E\frac{1}{2}SW\frac{1}{4}$ , and  
 $SE\frac{1}{4}$ ;  
Secs. 32 and 34.

T. 7 S., R. 10 E.,  
Sec. 2, lots 1 to 4, inclusive,  $S\frac{1}{2}N\frac{1}{2}$ , and  
 $S\frac{1}{2}$ ;  
Sec. 4, lots 1 to 4, inclusive,  $S\frac{1}{2}N\frac{1}{2}$ , and  
 $S\frac{1}{2}$ ;  
Sec. 6, lots 1 to 7, inclusive,  $S\frac{1}{2}NE\frac{1}{4}$ ,  
 $SE\frac{1}{4}NW\frac{1}{4}$ ,  $E\frac{1}{2}SW\frac{1}{4}$ , and  $SE\frac{1}{4}$ ;  
Secs. 8, 10, and 12.

Coyote Canyon Spring

T. 8 S., R. 5 E.,  
Sec. 30,  $SE\frac{1}{4}$ .

Santa Rosa Cahuilla Indian Ruins

T. 8 S., R. 6 E.,  
Sec. 20,  $N\frac{1}{2}SE\frac{1}{4}$  and  $SW\frac{1}{4}SE\frac{1}{4}$ .

Cahuilla Reservoir Recreation Site

T. 6 S., R. 7 E.,  
Sec. 30, lots 1 to 4, inclusive,  $NE\frac{1}{4}$ ,  $E\frac{1}{2}W\frac{1}{2}$ ,  
and  $SE\frac{1}{4}$ ;  
Sec. 32,  $N\frac{1}{2}N\frac{1}{2}NE\frac{1}{4}$ ,  $SW\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}$ ,  
 $NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$ ,  $S\frac{1}{2}S\frac{1}{2}NE\frac{1}{4}$ ,  $NW\frac{1}{4}$ ,  
 $S\frac{1}{2}$ .

Painted Gorge Recreation Site

T. 16 S., R. 10 E.,  
Sec. 6,  $S\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$ , and  $S\frac{1}{2}SW\frac{1}{4}NE$ .

Fossil Canyon Natural Area

T. 16 S., R. 9 E.,  
Sec. 10,  $W\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$ , and  $W\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}$ .

Mineral Material Site

T. 16 S., R. 9 E.,  
Sec. 14,  $NW\frac{1}{4}$ ;  
Sec. 15,  $NE\frac{1}{4}$ .

Indian Intanglios Natural Area

T. 16  $\frac{1}{2}$  S., R. 10 E.,  
Sec. 2, lots 1, 2, 7, and 8,  $S\frac{1}{2}N\frac{1}{2}NE\frac{1}{4}$ , and  
 $SW\frac{1}{4}SE\frac{1}{4}$ .

Crucifixion Thorn Protective Natural Area

T. 17 S., R. 10 E.,  
Sec. 12,  $S\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$ ;  
Sec. 13,  $N\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$  and  $SE\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$ ;  
T. 17 S., R. 11 E.,  
Sec. 7,  $S\frac{1}{2}$  of lot 4.

The areas described above aggregate approximately 13,566 acres of public land.

6. For a period of 30 days from the date of publication in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the

Interior as provided for in 43 CFR § 2461.3.

J. R. PENNY,  
State Director.

[F.R. Doc. 70-10511; Filed, Aug. 12, 1970;  
8:45 a.m.]

CALIFORNIA

Notice of Partial Termination of Proposed Withdrawal and Reservation of Lands

AUGUST 4, 1970.

Notice of a Department of the Army, Portland District, Corps of Engineers, application Sacramento 080090, for withdrawal and reservation of lands in connection with the planned studies for the Applegate Reservoir Project on the Upper Applegate River was published as F.R. Doc. No. 69-13018 on pages 16272 and 16273 of the issue for Thursday, December 30, 1965. The applicant agency has canceled its application insofar as it affects the following described land:

MOUNT DIABLO MERIDIAN

ROGUE RIVER NATIONAL FOREST

T. 48 N., R. 11 W.  
Sec. 17, lot 2,  $SW\frac{1}{4}SE\frac{1}{4}$ , and  $SW\frac{1}{4}SW\frac{1}{4}$ ;  
Sec. 18,  $SE\frac{1}{4}SE\frac{1}{4}$ ;  
Sec. 20,  $NW\frac{1}{4}NE\frac{1}{4}$  and  $NE\frac{1}{4}NW\frac{1}{4}$ .

The areas being desegregated aggregate approximately 234.33 acres in Siskiyou County.

Therefore, pursuant to the regulations contained in 43 CFR Part 2300 (formerly 43 CFR Part 2311), such lands at 10 a.m. on August 31, 1970, will be relieved of the segregative effect of the above-mentioned application.

ELIZABETH H. MIDTBY,

Chief, Lands Adjudication Section.

[F.R. Doc. 70-10551; Filed, Aug. 12, 1970;  
8:45 a.m.]

[Colo. 014711]

COLORADO

Notice of Termination of Proposed Withdrawal and Reservation of Lands

AUGUST 5, 1970.

Notice of a U.S. Fish and Wildlife Service application, Colorado 014711, for withdrawal and reservation of lands for a wildlife management area as a part of the existing Cebolla Creek Game and Fish Management Area, was published as F.R. Doc. 59-3419, on page 3162 of the issue for April 23, 1959. The applicant agency has canceled its application insofar as it affects the lands described below. Therefore, pursuant to the regulations contained in 43 CFR, Part 2350, such lands, at 10 a.m. on September 10, 1970, will be relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

All lands lying outside a line 300 feet, measured horizontally, from the right and left banks of Cebolla Creek as it flows through the following subdivisions:

T. 44 N., R. 1 W.,  
Sec. 6, lots 1, 2, 3, 7,  $S\frac{1}{2}NE\frac{1}{4}$ ,  $SE\frac{1}{4}NW\frac{1}{4}$ ,  
 $SE\frac{1}{4}SW\frac{1}{4}$ , and  $SE\frac{1}{4}$ .  
T. 44 N., R. 2 W.,  
Sec. 1, lots 1, 2, 3, 4,  $SW\frac{1}{4}NE\frac{1}{4}$ ,  $S\frac{1}{2}NW\frac{1}{4}$ ,  
 $SW\frac{1}{4}$  and  $W\frac{1}{2}SE\frac{1}{4}$ ;  
Sec. 11,  $N\frac{1}{2}$ ,  $N\frac{1}{2}SW\frac{1}{4}$ ,  $SW\frac{1}{4}SW\frac{1}{4}$ , and  
 $NW\frac{1}{4}SE\frac{1}{4}$ ;  
Sec. 12,  $W\frac{1}{2}NE\frac{1}{4}$ ,  $NW\frac{1}{4}$ ,  $NE\frac{1}{4}SW\frac{1}{4}$ , and  
 $S\frac{1}{2}SW\frac{1}{4}$ .  
T. 48 N., R. 3 W.,  
Sec. 10,  $E\frac{1}{2}$ ;  
Sec. 11, all fractional;  
Sec. 12,  $SW\frac{1}{4}$ ;  
Sec. 13,  $NW\frac{1}{4}$ ,  $N\frac{1}{2}SW\frac{1}{4}$ , and  $SE\frac{1}{4}SW\frac{1}{4}$ ;  
Sec. 14, lots 1, 2, 3, 4, 5, 6, 7, 8, and 9;  
Sec. 24,  $SW\frac{1}{4}SW\frac{1}{4}$  and  $W\frac{1}{2}SE\frac{1}{4}$ ;  
Sec. 25,  $W\frac{1}{2}E\frac{1}{2}$  and  $W\frac{1}{2}W\frac{1}{2}$ ;  
Sec. 36, lot 4,  $W\frac{1}{2}NW\frac{1}{4}$ .  
T. 47 N., R. 2 W.,  
Sec. 17,  $W\frac{1}{2}SW\frac{1}{4}$ ;  
Sec. 18,  $NE\frac{1}{4}$  and  $E\frac{1}{2}SE\frac{1}{4}$ ;  
Sec. 20,  $W\frac{1}{2}NE\frac{1}{4}$  and  $N\frac{1}{2}NW\frac{1}{4}$ ;  
Sec. 29,  $SW\frac{1}{4}SE\frac{1}{4}$ .  
T. 47 N., R. 3 W.,  
Sec. 1, lots 4, 12, 13,  $SW\frac{1}{4}SW\frac{1}{4}$ , and  
 $E\frac{1}{2}SW\frac{1}{4}$ ;  
Sec. 12, lots 4, 5, 8, 9, and  $E\frac{1}{2}NW\frac{1}{4}$ .  
T. 45 N., R. 2 W.,  
Sec. 1, lots 3, 4, 5, 6, 11, 12,  $N\frac{1}{2}SW\frac{1}{4}$ ,  
 $E\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$ , and  $SE\frac{1}{4}SW\frac{1}{4}$ ;  
Sec. 2, lots 1, 8, and 9;  
Sec. 12,  $NE\frac{1}{4}NW\frac{1}{4}$  and  $SW\frac{1}{4}SE\frac{1}{4}$ ;  
Sec. 13,  $W\frac{1}{2}SW\frac{1}{4}$ ;  
Sec. 25, lots 4, 9, 10, and  $W\frac{1}{2}$ .

The area described aggregates approximately 5,571 acres.

HORACE R. MCBROOM,  
Acting Land Office Manager.

[F.R. Doc. 70-10562; Filed, Aug. 12, 1970;  
8:46 a.m.]

IDAHO

Notice of Filing of Plat of Survey and Opening of Lands

AUGUST 7, 1970.

1. A plat of survey of the lands described below, accepted June 9, 1970, will be officially filed at the Land Office, Boise, Idaho effective at 10 a.m. on September 11, 1970:

BOISE MERIDIAN, IDAHO

T. 10 N., R. 23 E.,  
Sec. 3, lots 1, 2, 3, 4, 5,  $SW\frac{1}{4}NE\frac{1}{4}$ ,  $S\frac{1}{2}NW\frac{1}{4}$ ,  
 $S\frac{1}{2}$ ;  
Sec. 10, all;  
Sec. 11, lots 1, 2, 3, 4,  $S\frac{1}{2}N\frac{1}{2}$ ,  $S\frac{1}{2}$ ;  
Sec. 12, lots 1, 2, 3, 4,  $S\frac{1}{2}S\frac{1}{2}$ ;  
Secs. 13, 14, 15, 23, and 24.

Totaling 5,285.06 acres.

2. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands are hereby opened to application, petition, location, and selection. All valid applications received at or prior to 10 a.m. September 11, 1970 shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Boise, Idaho.

CURTIS R. TAYLOR,  
Acting Manager,  
Land Office, Boise, Idaho.

[F.R. Doc. 70-10558; Filed, Aug. 12, 1970;  
8:45 a.m.]



[Serial No. I-3663]

## IDAHO

## Notice of Proposed Classification of Public Lands for Multiple-Use Management

AUGUST 7, 1970.

1. Pursuant to the Act of September 19, 1964 (78 Stat. 986; 43 U.S.C. 1411-18) and to the regulations in 43 CFR, Parts 2410 and 2460, it is proposed to classify for multiple use management all of the public lands in the area described below. Publication of this notice has the effect (a) of segregating all the public land within the areas described below from appropriation under the agricultural land laws (43 U.S.C., Parts 7 and 9; 25 U.S.C. sec. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171), and (b) of further segregating the lands described in paragraph 3 of this notice from the operation of the general mining laws (30 U.S.C. ch. 2) and from surface use and occupancy under the mineral leasing laws. Except as provided in (a) and (b) above, the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. The public lands affected by this proposed classification are located within the following described areas of Jefferson and Madison Counties and are shown on maps on file in the Idaho Falls District Office, Bureau of Land Management, Idaho Falls, Idaho 83401, and Idaho Land Office, Bureau of Land Management, 334 Federal Building, Boise, Idaho 83702.

## BOISE MERIDIAN, IDAHO

## JEFFERSON COUNTY

- T. 8 N., R. 32 E.,  
Secs. 1, 2, and 3;  
Secs. 10 through 15, inclusive.
- T. 8 N., R. 33 E.,  
Sec. 5, lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;  
Sec. 6;  
Sec. 7, lots 1 through 4, inclusive, N $\frac{1}{2}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
Sec. 18, lots 1 through 4, inclusive, and E $\frac{1}{2}$ W $\frac{1}{2}$ .
- T. 4 N., R. 34 E.,  
Secs. 1, 2, and 3;  
Secs. 10 through 15, inclusive;  
Secs. 22 through 27, inclusive;  
Sec. 28, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 33, E $\frac{1}{2}$ E $\frac{1}{2}$ ;  
Secs. 34, 35, and 36.
- T. 5 N., R. 34 E.,  
Secs. 10 through 15, inclusive;  
Secs. 22 through 27, inclusive;  
Secs. 34, 35, and 36.
- T. 7 N., R. 34 E.,  
Secs. 1 through 4, inclusive;  
Secs. 9 through 14, inclusive;  
Sec. 15, E $\frac{1}{2}$ .

- T. 8 N., R. 34 E.,  
Secs. 1 through 4, inclusive;  
Secs. 9 through 16, inclusive;  
Secs. 21 through 28, inclusive;  
Secs. 33 through 36, inclusive.
- T. 4 N., R. 35 E.,  
Secs. 2 through 9, inclusive;  
Sec. 10, N $\frac{1}{2}$ ;  
Secs. 17, 18, and 19;  
Sec. 20, W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 30, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
Sec. 31, W $\frac{1}{2}$ .
- T. 5 N., R. 35 E.,  
Sec. 1, lots 1, 2, 3, E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 7;  
Sec. 8, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 11, S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
Sec. 12, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
Secs. 13, 14, and 15;  
Sec. 17, W $\frac{1}{2}$ NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
Secs. 18 through 24, inclusive;  
Sec. 25, N $\frac{1}{2}$ ;  
Secs. 26 through 35, inclusive.
- T. 6 N., R. 35 E.,  
Sec. 13, SE $\frac{1}{4}$ ;  
Secs. 24, 25, and 36.
- T. 7 N., R. 35 E.,  
Sec. 1, N $\frac{1}{2}$  and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Secs. 2 through 10, inclusive;  
Sec. 11, W $\frac{1}{2}$ E $\frac{1}{2}$  and W $\frac{1}{2}$ ;  
Sec. 13, W $\frac{1}{2}$ W $\frac{1}{2}$ ;  
Secs. 14 through 18, inclusive;  
Sec. 19, N $\frac{1}{2}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 20, N $\frac{1}{2}$ ;  
Sec. 21, N $\frac{1}{2}$ ;  
Sec. 22, N $\frac{1}{2}$ ;  
Sec. 23, N $\frac{1}{2}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ NW $\frac{1}{4}$ .
- T. 8 N., R. 35 E.,  
Secs. 1 through 36, inclusive;  
Secs. 9 through 14, inclusive;  
Sec. 15, E $\frac{1}{2}$ .
- T. 8 N., R. 34 E.,  
Secs. 1 through 4, inclusive;  
Secs. 9 through 16, inclusive;  
Secs. 21 through 28, inclusive;  
Secs. 33 through 36, inclusive.
- T. 4 N., R. 35 E.,  
Secs. 2 through 9, inclusive;  
Sec. 10, N $\frac{1}{2}$ ;  
Secs. 17, 18, and 19;  
Sec. 20, W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 30, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
Sec. 31, W $\frac{1}{2}$ .
- T. 5 N., R. 35 E.,  
Sec. 1, lots 1, 2, 3, E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 7;  
Sec. 8, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 11, S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
Sec. 12, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
Secs. 13, 14, and 15;  
Sec. 17, W $\frac{1}{2}$ NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
Secs. 18 through 24, inclusive;  
Sec. 25, N $\frac{1}{2}$ ;  
Secs. 26 through 35, inclusive.
- T. 6 N., R. 35 E.,  
Sec. 13, SE $\frac{1}{4}$ ;  
Secs. 24, 25, and 36.
- T. 7 N., R. 35 E.,  
Sec. 1, N $\frac{1}{2}$  and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Secs. 2 through 10, inclusive;  
Sec. 11, W $\frac{1}{2}$ E $\frac{1}{2}$  and W $\frac{1}{2}$ ;  
Sec. 13, W $\frac{1}{2}$ W $\frac{1}{2}$ ;  
Secs. 14 through 18, inclusive;  
Sec. 19, N $\frac{1}{2}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 20, N $\frac{1}{2}$ ;  
Sec. 21, N $\frac{1}{2}$ ;  
Sec. 22, N $\frac{1}{2}$ ;  
Sec. 23, N $\frac{1}{2}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ NW $\frac{1}{4}$ .
- T. 8 N., R. 35 E.,  
Secs. 1 through 36, inclusive;  
Secs. 9 through 14, inclusive;  
Sec. 15, E $\frac{1}{2}$ .
- T. 8 N., R. 34 E.,  
Secs. 1 through 4, inclusive;  
Secs. 9 through 16, inclusive;  
Secs. 21 through 28, inclusive;  
Secs. 33 through 36, inclusive.
- T. 4 N., R. 35 E.,  
Secs. 2 through 9, inclusive;  
Sec. 10, N $\frac{1}{2}$ ;  
Secs. 17, 18, and 19;  
Sec. 20, W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 30, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
Sec. 31, W $\frac{1}{2}$ .
- T. 5 N., R. 35 E.,  
Sec. 1, lots 1, 2, 3, E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 7;  
Sec. 8, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 11, S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
Sec. 12, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
Secs. 13, 14, and 15;  
Sec. 17, W $\frac{1}{2}$ NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
Secs. 18 through 24, inclusive;  
Sec. 25, N $\frac{1}{2}$ ;  
Secs. 26 through 35, inclusive.
- T. 6 N., R. 35 E.,  
Sec. 13, SE $\frac{1}{4}$ ;  
Secs. 24, 25, and 36.
- T. 7 N., R. 35 E.,  
Sec. 1, N $\frac{1}{2}$  and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Secs. 2 through 10, inclusive;  
Sec. 11, W $\frac{1}{2}$ E $\frac{1}{2}$  and W $\frac{1}{2}$ ;  
Sec. 13, W $\frac{1}{2}$ W $\frac{1}{2}$ ;  
Secs. 14 through 18, inclusive;  
Sec. 19, N $\frac{1}{2}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 20, N $\frac{1}{2}$ ;  
Sec. 21, N $\frac{1}{2}$ ;  
Sec. 22, N $\frac{1}{2}$ ;  
Sec. 23, N $\frac{1}{2}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ NW $\frac{1}{4}$ .
- T. 8 N., R. 35 E.,  
Secs. 1 through 36, inclusive;  
Secs. 9 through 14, inclusive;  
Sec. 15, E $\frac{1}{2}$ .
- T. 8 N., R. 34 E.,  
Secs. 1 through 4, inclusive;  
Secs. 9 through 16, inclusive;  
Secs. 21 through 28, inclusive;  
Secs. 33 through 36, inclusive.

- T. 4 N., R. 35 E.,  
Secs. 2 through 9, inclusive;  
Sec. 10, N $\frac{1}{2}$ ;  
Secs. 17, 18, and 19;  
Sec. 20, W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 30, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
Sec. 31, W $\frac{1}{2}$ .
- T. 5 N., R. 35 E.,  
Sec. 1, lots 1, 2, 3, E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 7;  
Sec. 8, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 11, S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
Sec. 12, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
Secs. 13, 14, and 15;  
Sec. 17, W $\frac{1}{2}$ NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
Secs. 18 through 24, inclusive;  
Sec. 25, N $\frac{1}{2}$ ;  
Secs. 26 through 35, inclusive.
- T. 6 N., R. 35 E.,  
Sec. 13, SE $\frac{1}{4}$ ;  
Secs. 24, 25, and 36.
- T. 7 N., R. 35 E.,  
Sec. 1, N $\frac{1}{2}$  and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Secs. 2 through 10, inclusive;  
Sec. 11, W $\frac{1}{2}$ E $\frac{1}{2}$  and W $\frac{1}{2}$ ;  
Sec. 13, W $\frac{1}{2}$ W $\frac{1}{2}$ ;  
Secs. 14 through 18, inclusive;  
Sec. 19, N $\frac{1}{2}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 20, N $\frac{1}{2}$ ;  
Sec. 21, N $\frac{1}{2}$ ;  
Sec. 22, N $\frac{1}{2}$ ;  
Sec. 23, N $\frac{1}{2}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ NW $\frac{1}{4}$ .
- T. 8 N., R. 35 E.,  
Secs. 1 through 36, inclusive.
- T. 5 N., R. 36 E.,  
Sec. 2, lots 5 and 6, S $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;  
Secs. 3 through 10, inclusive;  
Secs. 15 through 21, inclusive;  
Sec. 27, SW $\frac{1}{4}$ NW $\frac{1}{4}$  and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Secs. 28, 29, and 30.
- T. 6 N., R. 36 E.,  
Secs. 1 through 4, inclusive;  
Sec. 8, E $\frac{1}{2}$ ;  
Secs. 9 through 17, inclusive;  
Sec. 18, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
Secs. 19 through 36, inclusive.
- T. 7 N., R. 36 E.,  
Secs. 24 and 25;  
Sec. 34, SE $\frac{1}{4}$ ;  
Sec. 35, S $\frac{1}{2}$ ;  
Sec. 36.
- T. 8 N., R. 36 E.,  
Secs. 1 through 9, inclusive;  
Sec. 11, N $\frac{1}{2}$ ;  
Sec. 12, N $\frac{1}{2}$  and SE $\frac{1}{4}$ ;  
Sec. 13, NE $\frac{1}{4}$ ;  
Secs. 16 through 21, inclusive;  
Sec. 28, N $\frac{1}{2}$ ;  
Sec. 29, N $\frac{1}{2}$ ;  
Sec. 30.
- T. 4 N., R. 37 E.,  
Sec. 12, S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 13, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
Sec. 23, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 24, NW $\frac{1}{4}$ NW $\frac{1}{4}$ .
- T. 5 N., R. 37 E.,  
Secs. 1 through 6, inclusive;  
Secs. 9 through 12, inclusive;  
Sec. 14, W $\frac{1}{2}$ ;  
Sec. 15.
- T. 6 N., R. 37 E.,  
Secs. 1 through 36, inclusive.
- T. 7 N., R. 37 E.,  
Sec. 1, E $\frac{1}{2}$ ;  
Sec. 12, E $\frac{1}{2}$ ;  
Sec. 13;  
Secs. 19 through 36, inclusive.
- T. 4 N., R. 38 E.,  
Sec. 7, lot 4;  
Sec. 18, lots 1 through 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$  and E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 19, W $\frac{1}{2}$ NE $\frac{1}{4}$  and E $\frac{1}{2}$ NW $\frac{1}{4}$ .
- T. 5 N., R. 38 E.,  
Secs. 4 through 9, inclusive.



T. 6 N., R. 38 E.,  
Secs. 4 through 9, inclusive;  
Secs. 16 through 21, inclusive;  
Secs. 28 through 33, inclusive.  
T. 7 N., R. 38 E.,  
Secs. 4 through 9, inclusive;  
Secs. 16 through 21, inclusive;  
Secs. 28 through 33, inclusive.

The public lands within these areas described in Jefferson County aggregate approximately 187,500 acres of public lands.

BOISE MERIDIAN, IDAHO  
MADISON COUNTY

T. 5 N., R. 38 E.,  
Secs. 1, 2, 3, and 10.  
T. 6 N., R. 38 E.,  
Secs. 1, 2, and 3;  
Secs. 10 through 15, inclusive;  
Secs. 22 through 27, inclusive;  
Secs. 34, 35, and 36.  
T. 7 N., R. 38 E.,  
Secs. 22 through 27, inclusive;  
Secs. 34, 35, and 36.  
T. 6 N., R. 39 E.,  
Secs. 7, 18, and 19.  
T. 7 N., R. 39 E.,  
Sec. 19, N $\frac{1}{2}$ .

The public lands within these areas described in Madison County aggregate approximately 13,500 acres.

3. As provided in paragraph 1 above, the following lands are further segregated from appropriation under the mining and mineral leasing laws:

BOISE MERIDIAN, IDAHO

SAGE JUNCTION INTERCHANGE STUDY AREA

T. 6 N., R. 36 E.,  
Sec. 22, SE $\frac{1}{4}$ ;  
Sec. 27, N $\frac{1}{2}$  NW $\frac{1}{4}$ .

This area aggregates 240 acres.

4. For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections concerning the proposed classifications may present their views in writing to the Idaho Falls District Manager, Bureau of Land Management, Post Office Box 1867, Idaho Falls, Idaho 83401.

5. A public hearing on this proposed classification will be held at 1:30 p.m. on Wednesday, September 9, 1970, in the Jefferson County Courtroom, County Courthouse, Rigby, Idaho.

CLAIR M. WHITLOCK,  
Acting State Director.

[F.R. Doc. 70-10559; Filed, Aug. 12, 1970;  
8:45 a.m.]

NEVADA

Order Opening Public Lands

AUGUST 7, 1970.

1. In exchanges of land made under the provisions of section 8 of the Act of June 28, 1934, 48 Stat. 1272, as amended, 43 U.S.C. 315g, the following lands have been reconveyed to the United States:

MOUNT DIABLO MERIDIAN  
(N-4533, 4536, 4573, 4574)

T. 27 N., R. 18 E.,  
Sec. 3, NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$ ;  
Sec. 4, SW $\frac{1}{4}$ ;

Sec. 5, E $\frac{1}{2}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 8, NE $\frac{1}{4}$  NW $\frac{1}{4}$ ;  
Sec. 12, S $\frac{1}{2}$  NE $\frac{1}{4}$ ;  
Sec. 28, All;  
Sec. 29, N $\frac{1}{2}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$ .

(N-4531, 4532, 4535, 4537, 4538)

T. 42 N., R. 19 E.,  
Sec. 10, N $\frac{1}{2}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$ ;  
Sec. 11, N $\frac{1}{2}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ ;  
Sec. 23, SE $\frac{1}{4}$ ;  
Sec. 34, S $\frac{1}{2}$  SE $\frac{1}{4}$ .

(N-4356)

T. 26 N., R. 67 E.,  
Sec. 22, SE $\frac{1}{4}$  NW $\frac{1}{4}$ ;  
Sec. 30, NE $\frac{1}{4}$  SE $\frac{1}{4}$ , S $\frac{1}{2}$  SE $\frac{1}{4}$ .

The areas described aggregate 2,280 acres.

2. The United States did not acquire mineral rights in the SE $\frac{1}{4}$  NW $\frac{1}{4}$  sec. 22, T. 26 N., R. 67 E.

3. The lands in T. 27 N., R. 18 E., are situated in Washoe County, west and northwesterly from Flanigan, Nev. The topography is level to rolling.

4. The lands in T. 42 N., R. 19 E., are located southeast of Vya, Washoe County, Nev. The terrain is gently rolling. Soils are slightly alkaline.

5. The lands in T. 26 N., R. 67 E., are about 12 miles east of Lage's Station in White Pine County. Vegetation consists of juniper, sagebrush, rabbitbrush, and residual grasses.

6. Excepting all of sec. 28 and N $\frac{1}{2}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$  sec. 29, T. 27 N., R. 18 E., the above described lands in Washoe County are classified for multiple-use management pursuant to the Act of September 19, 1964 (78 Stat. 986; 43 U.S.C. 1411-18) by classification No. N-1280, which segregates them from applications, under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. 334) and applications for public sale under section 2455 of the revised statutes (43 U.S.C. 1171). The lands in White Pine County are also classified for multiple-use management by classification No. 1005, which segregated them from applications under the agricultural land laws.

7. Subject to valid existing rights, the provisions of existing withdrawals, the above cited classifications and the requirements of applicable law, the lands described in paragraph 1 are hereby opened to application, petition, and selection. They are also open to mining and mineral leasing, except as to the land described in paragraph 2. All valid applications received at or prior to 10 a.m. on September 11, 1970, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

8. Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, 300 Booth Street, Reno, Nevada 89502.

A. JOHN HILLSAMER,  
Acting Land Office Manager.

[F.R. Doc. 70-10560; Filed, Aug. 12, 1970;  
8:46 a.m.]

[N-4728]

NEVADA

Order Opening Public Land

AUGUST 7, 1970.

1. In accordance with the provisions of Section 3 of the Act of June 14, 1926, 44 Stat. 741, as amended; 43 U.S.C. 869, the following lands were reconveyed to the United States:

MOUNT DIABLO MERIDIAN

T. 44 N., R. 57 E.,  
Sec. 35, SW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ .

The area contains 5 acres.

2. The land is located about 65 miles northeasterly from Elko, Nevada, at an elevation of approximately 6,000 feet. The terrain is rough and hilly.

3. Subject to valid existing rights, the provisions of existing withdrawals and the requirements of applicable law, the land is hereby open to application, petition, selection, including location under the U.S. mining laws. All valid applications received at or prior to 10 a.m. on September 11, 1970, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in order of filing.

4. The land has been open to applications and offers under the mineral leasing laws.

5. Inquiries concerning the land should be addressed to the Manager, Land Office, Bureau of Land Management, 300 Booth Street, Reno, Nev. 89502.

A. JOHN HILLSAMER,  
Acting Land Office Manager.

[F.R. Doc. 70-10561; Filed, Aug. 12, 1970;  
8:46 a.m.]

[New Mexico 11691]

NEW MEXICO

Notice of Classification

AUGUST 7, 1970.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), the lands described below are hereby classified for disposal through exchange under section 8 of the Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C. 315g), as amended. No comments were received following publication of notice of proposed classification (35 F.R. 8297).

The lands affected by this classification are located in McKinley County, N. Mex., and are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN

T. 14 N., R. 20 W.,  
Secs. 3, 5, 7, 9, and 11;  
Sec. 13, W $\frac{1}{2}$ ;  
Secs. 15, 17, 19, and 21;  
Sec. 23, W $\frac{1}{2}$  E $\frac{1}{2}$  and W $\frac{1}{2}$ ;  
Secs. 25 and 27;  
Sec. 29, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
Sec. 31;  
Sec. 33, E $\frac{1}{2}$  and W $\frac{1}{2}$  W $\frac{1}{2}$ ;  
Sec. 35.



T. 15 N., R. 20 W.,  
Secs. 1, 3, 5, 7, and 9;  
Secs. 11, 13, 15, 17, and 21;  
Sec. 23, SW ¼;  
Secs. 25 and 27;  
Sec. 29, NE ¼ and S ½;  
Secs. 31 and 33;  
Sec. 35, N ½ and SW ¼.

The areas described aggregate 20,153.61 acres.

For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C. 20240 (43 CFR 2461.3).

B. BUFFINGTON,  
Acting State Director.

[F.R. Doc. 70-10598; Filed, Aug. 12, 1970;  
8:48 a.m.]

[New Mexico 11693]

## NEW MEXICO

### Notice of Classification

AUGUST 7, 1970.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), the lands described below are hereby classified for disposal through exchange under section 8 of the Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C. 315g), as amended. No comments were received following publication of the notice of proposed classification (35 F.R. 8697).

The lands affected by this proposal are located in McKinley County, N. Mex., and are described as follows:

#### NEW MEXICO PRINCIPAL MERIDIAN

T. 12 N., R. 18 W.,  
Sec. 1;  
Sec. 3, lots 1, 2, S ½ NE ¼ and SE ¼;  
Sec. 11, N ½ and SE ¼;  
Sec. 13;  
Sec. 15, N ½ NE ¼ and S ½;  
Sec. 23;  
Sec. 25, N ½ and N ½ S ½;  
Sec. 27, N ½ and SE ¼;  
Sec. 35.  
T. 11 N., R. 19 W.,  
Sec. 3, lots 1, 2, 3, 4, SE ¼ NE ¼, NE ¼ SW ¼;  
S ½ SW ¼, and SE ¼;  
Secs. 5 and 7.  
T. 11 N., R. 20 W.,  
Sec. 1;  
Sec. 3, lots 1, 2, S ½ NE ¼ and S ½;  
Secs. 5, 7, 9 and 11.  
T. 12 N., R. 20 W.,  
Secs. 29 and 33.  
T. 11 N., R. 21 W.,  
Sec. 1;  
Sec. 3, lots 1 to 6, inclusive, S ½ NE ¼, and SE ¼;  
Sec. 11.  
T. 12 N., R. 21 W.,  
Sec. 1;  
Sec. 3, lots 1 to 6, inclusive, S ½ NE ¼, and SE ¼;  
Sec. 11;  
Sec. 13, NE ¼ and S ½;  
Sec. 15, lots 1, 2, 3, 4, and E ½;  
Secs. 23 and 25;  
Sec. 27, lots 1, 2, 3, 4, and E ½;  
Sec. 35.

The areas described aggregate 18,049.65 acres.

For a period of 30 days, interested parties may submit comments to the Sec-

retary of the Interior, LLM, 721, Washington, D.C. 20240 (43 CFR 2461.3).

B. BUFFINGTON,  
Acting State Director.

[F.R. Doc. 70-10599; Filed, Aug. 12, 1970;  
8:48 a.m.]

## Fish and Wildlife Service

### YELLOWFIN TUNA

#### Fishing in Eastern Pacific Ocean by Purse Seine Vessels; Reversion of Incidental Catch Rate

Notice of reversion is hereby given pursuant to § 280.6(c)(3), Title 50, Code of Federal Regulations, as follows:

At 0001 hours, on August 14, 1970, the incidental catch rate of yellowfin tuna for purse seine vessels of 300 short tons carrying capacity or less will revert to fifteen percent (15%). On the basis of the present catch rate, as of that date the catch of yellowfin tuna, during the closed season, by purse seine vessels of 300 short tons carrying capacity or less will have reached the 4,500 tons as provided in § 280.6(c)(3), Title 50, Code of Federal Regulations.

Issued at Washington, D.C., and dated August 10, 1970.

PHILIP M. ROEDEL,  
Director,  
Bureau of Commercial Fisheries.

[F.R. Doc. 70-10552; Filed, Aug. 12, 1970;  
8:45 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Office of Education

#### CONSTRUCTION OF ACADEMIC FACILITIES AND IMPROVEMENT OF UNDERGRADUATE INSTRUCTION

##### Promulgation of Allotment Ratios

Pursuant to both section 103 of the Higher Education Facilities Act of 1963, Public Law 88-204, 77 Stat. 363, which provides for grants for construction of academic facilities for public community colleges and technical institutes, and section 602 of the Higher Education Act of 1965, Public Law 89-329, 77 Stat. 1219, which provides for financial assistance for the improvement of undergraduate instruction, and on the basis of the average of the incomes per person of the States and of all the States for the three most recent consecutive calendar years for which satisfactory data are available from the Department of Commerce, the following allotment ratios for the States are hereby promulgated, effective with respect to the allotment of such funds as may be appropriated for the fiscal year ending June 30, 1971:

Alabama	0.6573
Alaska	.4031
Arizona	.5635
Arkansas	.6600
California	.4177
Colorado	.5143

Connecticut	.3741
Delaware	.4360
Florida	.5428
Georgia	.5961
Hawaii	.4856
Idaho	.6023
Illinois	.4106
Indiana	.4947
Iowa	.5125
Kansas	.5177
Kentucky	.6167
Louisiana	.6159
Maine	.5866
Maryland	.4564
Massachusetts	.4417
Michigan	.4614
Minnesota	.5125
Mississippi	.6667
Missouri	.5249
Montana	.5623
Nebraska	.5165
Nevada	.4213
New Hampshire	.4231
New Jersey	.4200
New Mexico	.6088
New York	.3977
North Carolina	.6132
North Dakota	.5976
Ohio	.4859
Oklahoma	.5806
Oregon	.5108
Pennsylvania	.4987
Rhode Island	.4806
South Carolina	.6543
South Dakota	.5850
Tennessee	.6247
Texas	.5624
Utah	.5875
Vermont	.5525
Virginia	.5561
Washington	.4611
West Virginia	.6354
Wisconsin	.5058
Wyoming	.5358
District of Columbia	.3526
American Samoa	.6667
Canal Zone	.....
Guam	.6667
Puerto Rico	.6667
Virgin Islands	.6667

Approved: August 6, 1970.

T. H. BELL,  
Acting U.S. Commissioner  
of Education.

[F.R. Doc. 70-10564; Filed, Aug. 12, 1970;  
8:46 a.m.]

## ATOMIC ENERGY COMMISSION

[Docket Nos. 50-266, 50-301]

### WISCONSIN ELECTRIC POWER CO. AND WISCONSIN MICHIGAN POWER CO.

#### Notice of Availability of Statement on Environmental Considerations

Pursuant to the National Environmental Policy Act of 1969 and to the Atomic Energy Commission's regulations in 10 CFR Part 50, Notice is hereby given that a document entitled "Statement on Environmental Considerations Related to the Proposed Operation by the Wisconsin Electric Power Co. and the Wisconsin Michigan Power Co. Point Beach Nuclear Power Plant, Units 1 and 2," is being placed in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., where it will be available for inspection by members of the public. Single copies of the statement



may be obtained by writing to the Director, Division of Reactor Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Bethesda, Md., this 6th day of August 1970.

For the Atomic Energy Commission.

PETER A. MORRIS,  
Director,  
Division of Reactor Licensing.

[F.R. Doc. 70-10556; Filed, Aug. 12, 1970;  
8:45 a.m.]

## OFFICE OF EMERGENCY PREPAREDNESS

### TEXAS

#### Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, and Executive Order 11051 of September 27, 1962 (18 F.R. 407, 22 F.R. 8799, 27 F.R. 9683); and by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855-1855g); notice is hereby given that on August 4, 1970, the President declared a major disaster as follows:

I have determined that the damages in those areas of the State of Texas, adversely affected by Hurricane Celia beginning on or about August 3, 1970, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 81-875. I therefore declare that such a major disaster exists in the State of Texas. Areas eligible for Federal assistance will be determined by the Director of the Office of Emergency Preparedness.

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11495, November 18, 1969 (34 F.R. 18447, Nov. 20, 1969) to administer the Disaster Relief Act of 1969 (Public Law 91-79, 83 Stat. 125), I hereby appoint Mr. George E. Hastings, Regional Director, OEP Region 5, to act as the Federal Coordinating Officer to perform the duties specified by section 9 of that act for this disaster.

I do hereby determine the following areas in the State of Texas to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of August 4, 1970:

The Counties of:  
Aransas. Nueces.  
Bee. Refugio.  
Jim Wells. San Patricio.  
Live Oak.

Dated: August 7, 1970.

G. A. LINCOLN,  
Director,  
Office of Emergency Preparedness.

[F.R. Doc. 70-10563; Filed, Aug. 12, 1970;  
8:46 a.m.]

## DEPARTMENT OF AGRICULTURE

### Consumer and Marketing Service

#### HUMANELY SLAUGHTERED LIVESTOCK

##### Identification of Carcasses; List of Establishments

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904), and the statement of policy thereunder in 9 CFR 381.1, the following table lists the establishments operated under Federal inspection pursuant to the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) which were officially reported on July 1, 1970, as humanely slaughtering and handling on that date the species of livestock respectively designated for such establishments in the table. Additions to and deletions from this list will be made from time to time as the facts may warrant, by notices published in the FEDERAL REGISTER. The establishment's number given with the name of the establishment is branded on each carcass of livestock inspected at that establishment. The table should not be understood to indicate that all species of livestock slaughtered at a listed establishment are slaughtered and handled by humane methods unless all species are listed for that establishment in the table. Nor should the table be understood to indicate that the affiliates of any listed establishments use only humane methods.

##### ESTABLISHMENTS SLAUGHTERING HUMANELY

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Armour & Co.	2C	(*)						
Do	2H					(*)		
Do	2W					(*)		
Do	2AT	(*)		(*)	(*)			
Do	2HT	(*)						
Do	28A			(*)	(*)			
Do	28D					(*)		
Do	28I							
Do	2WN		(*)					
Swift & Co.	3D	(*)						
Do	3F	(*)	(*)	(*)	(*)			
Do	3G	(*)						
Do	3H	(*)	(*)					
Do	3L					(*)		
Do	3N	(*)				(*)		
Do	3R	(*)				(*)		
Do	3S					(*)		
Do	3W	(*)						
Do	3Y	(*)						
Do	3Z	(*)						
Do	3AE	(*)				(*)		
Do	3AF	(*)						
Do	3CC	(*)		(*)				
D. E. Nebergal Meat Co.	3DE	(*)						
Swift & Co.	3GI	(*)						
Do	3GW	(*)						
Do	3TA	(*)						
Lykes Brothers, Inc. of Georgia	8	(*)						
Lykes Brothers, Inc.	8B	(*)						
Pauly Packing Co., Inc.	10	(*)						
The Evans Packing Co.	11	(*)		(*)				
Hygrade Food Products Corp.	12A	(*)						
Do	12P	(*)						
Do	12T	(*)						
Do	12FW	(*)						
Mickelberry's Food Products Co.	16	(*)						
John Morrell & Co.	17	(*)						
Do	17A	(*)						
Do	17D	(*)						
Do	17E	(*)						
Do	17U	(*)						
C. Finkbeiner, Inc.	18	(*)						
Wilson Certified Foods, Inc.	20A	(*)						
Wilson-Sinclair Co.	20H	(*)						
Wilson Certified Foods, Inc.	20I	(*)						
Wilson-Sinclair Co.	20L	(*)						
Wilson Certified Foods, Inc.	20N	(*)	(*)					
Do	20Q	(*)	(*)					
Wilson Beef & Lamb Co.	20U	(*)	(*)					
Wilson-Sinclair Co.	20Y	(*)	(*)					
Wilson Beef & Lamb Co.	20AI	(*)	(*)	(*)				
Do	20HF	(*)						
Swift & Co., Inc.	23	(*)						
Brander Meat Co.	25	(*)						
Patrik Cudahy, Inc.	28	(*)						
Kreinberg & Krasny, Inc.	30	(*)						
Superior's Brand Meats, Inc.	31	(*)						
Roegelien Provision Co.	32	(*)						
Do	32A	(*)						
Valleydale Packers, Inc.	34	(*)						
Kenton Packing Co.	36	(*)						
Pocomoke Provision Co.	39	(*)						
Sunnyland Packing Co.	43	(*)						
Stark Wetzel & Co., Inc.	44	(*)						
Do	44A	(*)						
Linden Packing Co., Inc.	45	(*)						
Idaho Meat Packers	46	(*)						
Consolidated Dressed Beef Co., Inc.	47	(*)						
Midwestern Beef, Inc.	53	(*)						
Insel and Insel	54	(*)	(*)	(*)				
Sunnyland Packing Co. of Alabama	56	(*)						
Do	56A	(*)						
Glover Packing Co. of Armadillo	60	(*)						
Glover Packing Co.	60A	(*)	(*)	(*)	(*)			
Gosh Packing Co., Inc.	61	(*)						
Sunflower Beef Packers of Nebraska	62	(*)						
Sandusky Dressed Beef Co.	63	(*)						



Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Selkirk Realty Co.	65							
The Quaker Oats Co.	E67						(*)	
Meat Quality Laboratory	68							
Auburn University Meats Laboratory	69							
Minch's Wholesale Meats, Inc.	70							
Brown Thompson & Sons	71							
Armour & Co.	72							
Do.	73							
The Eckert Packing Co.	74							
Do.	75							
The Cudahy Co.	76A							
Riviana Foods, Inc. - Hill's Division	77B							
Edgar Packing Co.	E83							
Kansas Beef Industries, Inc.	84							
Uteca Veal Co., Inc.	85							
The E. Kalin's Sons Co.	86							
Laredo Packing Co.	87							
Stargate Foods, Inc.	88							
Shonyo Packing, Inc.	89							
The Val Decker Packing Co.	90							
Central Packing Co., Inc.	91							
A. Koch's Sons	92							
Armour & Co.	93							
Liberty Packing Co.	94							
H. Gray Cowell, Inc.	95							
Conna Packing Co., Inc.	96							
Wilson Sinclair Co.	97							
Morris Beef Co.	98							
The Morris Packing Co.	99							
The Merchants Co.	100							
Farmland Industries, Inc.	101							
West Coast Meat Co., Inc.	102							
Marhofer Packing Co., Inc.	103							
City Dressed Beef	104							
John Morrell & Co.	105							
Cash Brothers Packing Co., Inc.	106							
John Roth & Son, Inc.	107							
Tobin Packing Co., Inc.	108							
Ferrara Meat Co., Inc.	109							
Nebraska Beef Packers, Inc.	110							
Kuener Packing Co.	111							
R. B. Rice Sausage Co., Inc.	112							
Silver Falls Packing Co., Inc.	113							
Dallas City Packing, Inc.	114							
Comland Dressed Beef, Inc.	115							
Bedland International, Inc.	116							
Missouri Farmers Association Packing Division	117							
Carr Packing Co., Inc.	118							
Kansas Beef Industries, Inc.	119							
New York State College of Agriculture	120							
E. W. Kneip, Inc.	121							
Bub Davis Packing Co.	122							
Lee's Sausage Co., Inc.	123							
Montrose Beef Co.	124							
The Rath Packing Co.	125							
Do.	126							
Kent Provision Co., Inc.	127							
Carl's Sausage Co.	128							
Cudahy Co.	129							
Krey Packing Co.	130							
John Morrell & Co.	131							
Hynes Packing Co.	132							
United Fryer and Stillman, Inc.	133							
George A. Hornel & Co.	134							
Do.	135							
Do.	136							
Do.	137							
Do.	138							
Do.	139							
Do.	140							
Do.	141							
Do.	142							
Cudahy Co.	143							
Platte Valley Packing Co.	144							
Emge Packing Co., Inc.	145							
National Beef Packing Co.	146							
Riverside Abattoir, Inc.	147							
Penn Packing Co.	148							
E. W. Kneip, Inc.	149							
Marshall Meat Products, Inc.	215							
Lincoln Meat Co.	217							
York Packing Co., Inc.	220							
Gwaltney, Inc.	221A							
Armour & Co.	222							
De Jong Packing Co.	223							
Hygrade Food Products Corp.	224							
Do.	224B							
Loeb & Gottfried, Inc.	232							
John Morrell & Co.	234							
Walt Schilling & Co., Inc.	235							
Animal Husbandry Department Texas Technological College	236							
Raskin Packing Co.	237							
P. D. & J. Meats	240							
Greenwood Packing Plant	242							
I. Klayman & Co.	243							
Iowa Beef Processors, Inc.	244							
Do.	245							
Do.	245A							
Do.	245B							
Do.	245C							
Do.	245D							
John Morrell & Co.	246							
Harget Realty Corp.	247							
Federal Packing Co., Inc.	249							
Frosty Morn Meats, Inc.	250							
Metro Meat Packing, Inc.	253							
Magie Valley Packing Co.	258							
Hypalains Dressed Beef, Inc.	262							
The Jones Dairy Farm	263							
Farm Pac Kitchens, Inc.	266							
Pacific Meat Co., Inc.	267							
Pawnee Packing Co.	270							
Golden Valley Packing Co.	271							
Tog Packing Co., Inc.	273							
Ellott Packing Co.	274							
Acme Markets, Inc.	279							
Momence Pork Packers Co.	282							
Parnett Packing Corp.	283							
Solano Meat Co.	285							
Western Packing Co.	288							
Arbogast and Bastian Co.	289							
The H. H. Meyer Packing Co.	290							
San Jose Meat Co.	291							
Armour & Co.	292							
Iowa Beef Processors, Inc.	292A							
Bus Juening & Son, Inc.	298							
Waldeck Packing Co.	299							
Great Falls Meat Co.	302							
Commenda Packing Co., Inc.	305							
Union Packing Co.	305A							
Star Packing Co.	306							
Kaufman Meat Packers, Inc.	310							
Melton Provision Co., Inc.	311							
Idéal Packing Co., Inc.	312							
Rudy's Farm Co., Inc.	315							
Dutterer's of Manchester, Inc.	316A							
Estes Packing Co.	319							
Stadler Packing Co., Inc.	320							
Ruddick Packing Co., Inc.	325							
Frisko Packing Co.	327							
C&M Meat Packing Corp.	329							
Royal Packing Co.	331A							
Shapiro Packing Co., Inc.	332							
Great Western Packing Co., Inc.	334							
Noble's Meat Co.	335							
Chino Valley Meat Packing Co., Inc.	336							
Green & Oliver Sausage Co.	338							
Midland Empire Packing Co., Inc.	339							
Des Moines Packing Co.	340							
Peters Packing Co., Inc.	341							
Puckett Packing Co.	343							
Gold-Pac Meat Co., Inc.	344							
Anza Packing Co.	345							
Union Packing Co.	351							



Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Fresno Meat Packing Co.	354							
Hernando Packing Co., Inc.	355							
St. Paul Dressing Beef, Inc.	357							
Clough Packing Co.	360							
Meyer & Sons	363							
James & Sons	365							
James Packing Company	372							
Cross Brothers Meat Packers, Inc.	374							
Beville Packing Co.	377							
Salinas Meat Co.	378							
Engle Packing Co., Inc.	380							
Smithfield Packing Co., Inc.	382							
Acme Markets, Inc.	384							
City Custom Packing Co., Inc.	387							
Liebmann Packing Co.	388							
Dugdale Packing Co.	390							
Oldham's Farm Sausage Co., Inc.	392							
Robert L. Runtz, Inc.	395							
Boneless Meat Co., Inc.	395B							
Dubuque Packing Co.	396							
Logan Packing Co.	397							
Watsonville Dressed Beef, Inc.	398							
Los Banos Abattoir Co.	400							
Oakridge Sausagehouse	401							
Owens Country Sausage, Inc.	403							
Williston Packing Co.	405							
Neuhoff Brothers	406							
Endlich Packing Co., Inc.	410							
Alpine Packing Co.	412							
The Lundy Packing Co.	413							
Do.	413A							
Frosty Morn Meats	414							
Minden Beef Co.	417							
S. Bonacurso & Sons, Inc.	418							
Murray Packing Co., Inc.	421							
E. W. Kneip, Inc. of Iowa	422							
The Collins Packing Co.	423							
Kenosha Packing Co., Inc.	425							
Fineberg Packing Co.	428							
Schneider Packing Co.	439							
Omaha Dressed Beef Co., Inc.	441							
Del Curro Meat Co.	445							
A. Diello & Sons, Inc.	448							
Dewitt Packing Corp.	456							
Morris Rifkin & Sons, Inc.	460							
Pioneer Boneless Beef, Inc.	461							
Lancaster Packing Co.	462							
Litvak Packing Co.	465							
Beewar Packing Co.	467							
Cornhusker Packing Co.	468							
Kansas Beef Industries, Inc.	472							
Priskany Beef and Veal Corp.	473							
Missouri Beef Packers, Inc.	473A							
Prana Packing Co.	474							
Mid-State Packers, Inc.	476							
Armour & Co.	477							
Armour Provision Co., Inc.	481							
Robel Beef Packers	485							
East Tennessee Packing Co.	487							
Memphis Butchers Association, Inc.	488							
E. W. Kneip, Inc.	489							
American Sheep Co.	490							
Fairbank Farms, Inc.	492							
Mid-State Meat Packers, Inc.	494							
Roberts Packing Co.	495							
Bartel's Meat Co.	497							
Helm Brothers Packing Co., Inc.	499							
Greenlee Packing Co.	501							
The Hull & Dillon Packing Co.	510							
Shen-Valley Meat Packers, Inc.	511							
Snider Brothers, Inc.	512							
Averch Packing Co.	513							
Charles Miller & Co.	517							
Illinois Packing Co.	521							
Pearl Packing Co., Inc.	524							
Meat Laboratory—Oklahoma State University	526							
Sebastopol Meat Co., Inc.	527							
Armour & Co.	528							
Smallwood Packing Co., Inc.	529							
Barrys Meat Packing Co.	533							
Pepper Packing Co.	536							
Oscar Mayer & Co., Inc.	537A							
Do.	537B							
Do.	537C							
Do.	537E							
Midwest Packing Co.	538							
Greenell Packing Corp.	538							
Pride Packing Co., Inc.	540							
Phile Packing Co.	550							
Black Hills Packing Co.	551							
Mid-South Packers, Inc.	554							
The Ordway Co.	557							
D & W Packing Co.	559							
Dependable Meat Packing	561							
Packerland Packing Co., Inc.	562							
John Morrell & Co.	564							
Texas Meat Packers, Inc.	565							
Do.	565C							
Elmer Bender & Son, Inc.	569							
Peretta Packing Co., Inc.	571							
Frosty Morn Meats, Inc.	576							
Armour & Co.	579							
Kingsford Packing Co., Inc.	581							
Cofeyville Packing Co., Inc.	583							
Frederick Packing Co.	586							
Dawson-Baker Packing Co., Inc.	588							
Swift & Co.	591							
Steinbacker Packing Co.	597							
Elk Grove Meat Co.	601							
San Antonio Packing Co.	602							
Wright Packing Co.	603							
I. D. Packing Co., Inc.	606							
Eastern Oregon Meat Co., Inc.	611							
Midtown Veal & Mutton Co., Inc.	612							
National Tea Co.	613							
Donner Packing Co.	614							
Kummer Meat Co., Inc.	617							
Doskool Sausage, Inc.	626							
Star Delicious Meats, Inc.	636							
Big Foot Packing Co., Inc.	637							
E. A. Miller & Sons Packing Co.	638							
H. H. Kelm Co.	639							
Ebner Brothers Packers	639							
United Packing Co., Inc.	639							
Auburn Packing Co., Inc.	639							
Cartier Abattoir, Inc.	639							
Planery Meat, Inc.	643							
Coast Packing Co.	645							
Trans-Continent Packing Co.	646							
Bird Provision Co.	647							
Spencer Packing Co.	648							
Schladerberg-Kurdle Co., Inc.	649							
John Morrell & Co.	650							
Nagle Packing Co.	653							
Wilson Beef & Lamb Co.	655							
Baum's Bologna, Inc.	657							
McCook Packing Corp.	660							
Quality Meat Packing Co.	661							
Western Meat Packers, Inc.	662							
Globe Packing Co.	663							
Webber Farms, Inc.	665							
Crown Packing Co.	666							
Scottsbluff Packing Co.	667							
Central Coast Meats	671							
Union Packing Co., Inc.	673							
S & S Packing Co., Inc.	674							
Do.	674A							
Caviness Packing Co., Inc.	675							
Jacob Bauer's Sons, Inc.	678							
Armour & Co.	680							
Caldwell Packing Co., Inc.	683							
The William Focke's Sons Co.	685							
Callaway Packing Co., Inc.	688							
Pierce Packing Co.	691							



Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Wilhelm Foods, Inc.	692							
Bryan Meat Co.	693							
Animal Husbandry Department Kansas State University	694							
Kramer Beef Co.	695							
Gulf Packing Co.	696							
Carter Packing Co.	698							
Central Nebraska Packing Co.	698							
Davenport Packing Co., Inc.	713							
Farmbest, Inc.	716							
Do.	717							
A. Darlington Storde	717A							
K-M Co.	718							
The Lohrey Packing Co.	719							
Swift & Co.	721							
Decker & Son	726							
Rood Packing Co., Inc.	727							
Eller & Son, Inc.	729							
Western Packers	732							
The Quaker Oats Co.	733							
Ohio Packing Co.	734							
Parnell's Packing Co.	736							
The Jacob Schlachter's Sons Co.	738							
Mid-State Meat Co.	741							
Ruchti Brothers	749							
Monroe Packing Co., Inc.	755							
Selitz Packing Co., Inc.	755A							
The American Meat Packing Corp.	760							
Schaeke Packing Co., Inc.	761							
Karler Packing Co.	767							
Sheridan Meat Co., Inc.	768							
Earl C. Gibbs, Inc.	770							
Atlas Packing Co.	775							
Central Packing Co.	777							
The Chalfy Co.	779							
Bryan Brothers Packing Co.	780							
Diamond Meat Co., Inc.	783							
Granite State Packing Co.	785							
M. Jacobson Sons Co., Inc.	786							
Aurora Packing Co., Inc.	791							
Battled Packing Co.	792							
Bauer's Meat Packing Co.	793							
Rod Barnes Packing Co.	807							
Western Iowa Pork	807							
American Beef Packers, Inc.	809							
Amco-Pac Corp.	810							
The G. B. Harrell Sons, Inc.	810							
Great Western Packing Co. of Nebraska	811							
United Packing of Iowa, Inc.	812							
Castle Brands, Inc.	816							
Redeemer Independent Packer, Inc.	817							
J. H. Roth Packing Co.	818							
The Sidney Avenue Beef Co.	822							
Sterling Pontio Beef Co.	823							
Foremost Packing Co.	824							
Superior Packing Co., Inc.	825							
Bretton's Meat Co.	830							
John Morrell & Co.	836							
North Packing Co. of Arkansas	837B							
Redeemer Community Products, Inc.	838							
Radcliff Packing Co.	840							
G. B. Roth Packing Co.	843							
The Allen Packing Co.	845							
Arava Dressed Beef Co.	853							
Sioux City Dressed Beef	857							
Siouxland Dressed Beef Co.	857F							
Sioux Beef Co.	857-0							
Jordan Meat and Livestock Co., Inc.	858							
Wells and Davies, Inc.	860							
Sierra Meat Co.	862							
Tennessee Dressed Beef Co.	865							
American Beef Packers, Inc.	866							
Hardy and Co., Inc.	869							
Santa Ana Packing Co.	874							
Pahler Packing Corp.	880							
Swanton Packing Co., Inc.	883							
Alco Packing Co.	885							
Walden Packing Co., Inc.	886							
Sambol Packing Co.	892							
Tobin Packing Co., Inc.	893							
Vernon Calhoun Packing Co.	897							
Meats Inc.	899							
Sigman Meat Co., Inc.	901B							
Party Packing Corp.	902							
Kane's Dressed Beef	907							
B. Constantino & Sons Co.	918							
Alice Packing Co.	921							
Valleydale Packers, Inc.	922							
Wisconsin Packing Co.	924							
Peoples Packing Co.	925							
Tarpoit Packing Co.	931							
Parsons Beef Co., Inc.	932							
E. B. Manning & Son	934							
Iowa Beef Processors, Inc.	935							
Voltz Packing Co.	938							
Cappellino Abattoir, Inc.	939							
Gentner Packing Co., Inc.	941							
Diamond Meat Packers, Inc.	944							
M. Brizer & Co.	948							
Joe Doctorman & Son Packing Co., Inc.	949							
Kennedy's Sausage Co.	960							
Bob Evans Farms Michigan, Inc.	962							
Arnour & Co.	966							
Thompson Farms Co.	969							
Greater Omaha Packing Co., Inc.	960							
Yotter Sausage Product, Inc.	961							
Virginia Packing Co., Inc.	963							
Interstate Meats, Inc.	965							
Way Packing Co.	967							
Monfort Packing Co.	969							
Lawall Meat Co. Ltd.	970							
Longhorn Meat Packers, Inc.	978							
National Food Stores, Inc.	981							
Hospers Beef Co.	985							
Shawnee Beef Co.	987							
Frederick C. Herdell & Son, Inc.	988							
Snider Packing Co., Inc.	992							
Klager of Kentucky, Inc.	995							
The Home Pride Provisions, Inc.	1029							
Arnour & Co.	1085							
Landy Packing Co.	1171							
The Harris Packing Co.	1175							
Wayne Packing Co.	1303							
A. F. Moyer & Sons, Inc.	1311							
McCabe Packing Plant	1312							
H & H Packing Co.	1315							
Nebraska Iowa Dressed Beef Co.	1318							
Associated Meat Packers, Inc.	1472							
Bonanza Packing Co., Inc., of Montana	1475A							
Stevens Meat Co., Inc.	1485							
James Sausage Co.	1718							
C & C Packing Co.	2033							
De Luca Packing Co.	2054							
Odom Sausage Co. of Kentucky, Inc.	2064							
Jesse Jones Sausage Co., Inc.	2103							
Ballards Farm Sausage, Inc.	2108							
P & H Packing Co., Inc.	2211							
Do.	2211A							
Greeley Meat Co.	2212							
Hardy Packing Co., Inc.	2215							
Yoskum Packing Co., Ltd.	2216							
Burlison Packing Co.	2224							
Pace Packing Co.	2228							
Ridley Packing Co.	2229							
South Texas Packers, Inc.	2230							
George Braum Packing Co., Inc.	2239							
Tiny Packing Co.	2254							
Loveland Packing Co., Inc.	2259							
G & C Packing Co.	2262							
Ridley Packing Co.	2265							
L. A. Frey & Sons, Inc.	2266A							
Western Beef Packers, Inc.	2267							
Wright Packing Co.	2269							







Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Bean's Slaughter Plant.....	7643	(*)		(*)		(*)		
City Meat & Locker.....	7644	(*)				(*)		
Wetsch Jack & Jill.....	7645	(*)						
Bosch Meat Co.....	7647	(*)				(*)		
Fred Born.....	7648	(*)						
Schafers Butcher Shop.....	7649	(*)				(*)		
Farmer's Union Locker Association.....	7650	(*)				(*)		
Knute's Meat Processing & Sales.....	7655	(*)				(*)		

Done at Washington, D.C., on August 6, 1970.

L. H. BURKERT,  
Acting Deputy Administrator,  
Consumer Protection.

[F.R. Doc. 70-10505; Filed, Aug. 12, 1970; 8:49 a.m.]

## Office of the Secretary MINNESOTA

### Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Minnesota natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

#### Minnesota

Beltrami	Pennington
Kittson	Polk
Koochiching	Red Lake
Lake of the Woods	Roseau
Marshall	St. Louis
Norman	

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1971, except to applicants who previously received emergency or special livestock loan assistance and can qualify under established policies and procedures.

Done at Washington, D.C., this 10th day of August 1970.

CLIFFORD M. HARDIN,  
Secretary of Agriculture.

[F.R. Doc. 70-10607; Filed, Aug. 12, 1970; 8:49 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 16495; FCC 70-865]

### COMMUNICATION-SATELLITE FACILITIES BY NONGOVERNMENTAL ENTITIES

#### Establishment

AUGUST 7, 1970.

1. In the Report and Order issued on March 24, 1970 herein (22 FCC 2d 86), the Commission stated that applications for domestic communications satellite systems would not be considered as accepted for filing until public notice is issued to that effect (22 FCC 2d at 98).

We also stated (id.) that in giving public notice of the first proposal accepted for filing, we would specify a time period for the filing of applications by applicants who desire to have their proposals considered in conjunction with the first proposal, as well as time periods for the filing of comments by interested persons on the proposed rule making (Notice of Proposed Rule Making in Docket No. 16495, 22 FCC 2d 810).

2. On July 30, 1970, The Western Union Telegraph Co. (Western Union) submitted applications for a domestic satellite system. Upon preliminary examination of such applications, we are of the view that they are substantially complete and acceptable for filing. As indicated in the Report and Order, in the course of processing the applications the Commission may, of course, request additional information. However, it appears appropriate now to proceed to establish times for the filing of other applications to be considered with those of Western Union, and for the filing of comments on the rule making.

3. Rather than prescribing cutoff dates in this notice, we have decided to afford potential applicants an opportunity to indicate how much time would be necessary for submission of their proposals. In an important undertaking of this nature, applicants should have sufficient time to weigh carefully all the considerations involved and to prepare applications which will meet the specifications of the Report and Order. At the same time, we do not think it fair or in public interest unduly to delay a determination on applications by applicants who are prepared to proceed now. Potential applicants are therefore requested to keep their time estimates to the minimum deemed essential; notwithstanding that the Commission will not necessarily accept any and all time estimates in fixing an appropriate cutoff date. Applicants are also reminded that it is not necessary to file system proposals now unless consideration with the initial group of applications is desired; applications may be filed at any time in the future for frequencies and orbital locations which are not pre-empted by the initial applicants.

4. Accordingly, potential applicants who desire to have their applications considered with the applications of Western Union may file a written statement with the Commission on or before August 19, 1970, indicating how much time is necessary for submission of their

applications. Upon consideration of such statements, the Commission will by further public notice prescribe such times for the filing of initial applications and comments on the rule making as in its judgment would best serve the public interest.<sup>1</sup>

Action by the Commission August 5, 1970.<sup>2</sup>

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 70-10596; Filed, Aug. 12, 1970; 8:48 a.m.]

[Dockets Nos. 18308, 18793; FCC 70R-278]

### CHRISTIAN VOICE OF CENTRAL OHIO AND DELAWARE-GAHANNA FM RADIO BROADCASTING STATION, INC.

#### Memorandum Opinion and Order Enlarging Issues

In regard applications of Christian Voice of Central Ohio, Gahanna, Ohio, Docket No. 18308, File No. BPH-6137; Delaware-Gahanna FM Radio Broadcasting Station, Inc., Delaware, Ohio, Docket No. 18793, File No. BPH-7004; for construction permits.

1. This proceeding involves the mutually exclusive applications of Christian Voice of Central Ohio (CVCO) and Delaware-Gahanna FM Radio Broadcasting Station, Inc. (D-G) for new FM broadcast stations to operate on Channel 285A at Gahanna, Ohio, and Delaware, Ohio, respectively.<sup>3</sup> The applications were designated for consolidated hearing on several issues by Commission memorandum

<sup>1</sup> Details of the technical proposal, including the microwave facilities intended to provide interconnection between the earth stations and the terrestrial network, will be listed in a subsequent Common Carrier Bureau Public Notice.

<sup>2</sup> Commissioners Burch (Chairman), Bartley, Robert E. Lee, Johnson, H. Rex Lee, and Wells with Commissioner Cox not participating.

<sup>3</sup> By order released Sept. 11, 1968, the Commission designated for hearing the applications of CVCO and Delaware-Maryville Broadcast Service, Inc. (D-M). 14 FCC 2d 576. On Jan. 23, 1969, CVCO and D-M filed a joint petition for approval of agreement, looking toward the dismissal of the D-M application in return for a partial reimbursement of its out-of-pocket expenses. By memorandum opinion and order released Mar. 24, 1969, the Review Board withheld further action on the joint petition pending publication, pursuant to § 1.525(b) of the Commission's rules, of the proposed withdrawal of the D-M application (16 FCC 2d 879, 15 RR 2d 1022). Following publication, D-G tendered its instant application, and on Feb. 12, 1970, the Commission released an order accepting the D-G application for filing, and consolidated it for hearing with the applications of CVCO and D-M (FCC 70-127, 21 FCC 2d 369, 18 RR 2d 375). Subsequently, the Review Board, by memorandum opinion and order, released Mar. 6, 1970, dismissed the D-M application (22 FCC 2d 13, 18 RR 2d 711).



opinion and order, FCC 70-127, supra, note 1. Presently before the Review Board is a petition to enlarge issues, filed March 5, 1970, by CVCO,<sup>2</sup> which requests the addition of the following issues:

To determine whether the principals of Delaware-Gahanna FM Radio Broadcasting Station, Inc., have been guilty of material misrepresentations to (a) the Commission, (b) the Division of Securities of the State of Ohio, and/or (c) potential and actual investors in Delaware-Gahanna FM Radio Broadcasting Station, Inc., or its predecessor-in-interest, Charles J. Gordon, et al., doing business as Delaware-Gahanna FM Radio Broadcasting Station, Inc., and, in view of the facts disclosed, whether the applicant possesses the requisite qualifications to be a licensee of the Commission.

To determine, in view of the violation by principals of Delaware-Gahanna FM Broadcasting Station, Inc., of the Ohio Securities Act, which violation resulted in the issuance of a Cease-and-Desist Order against their further violations, whether the applicant possesses the requisite qualifications to be a licensee of the Commission.

#### ISSUES CONCERNING CEASE AND DESIST ORDER

2. CVCO states that on May 12, 1969, the date D-G tendered its instant application, the D-G partners were under an order from the Ohio Division of Securities to cease and desist from offering for sale securities "in the nature of partnership or investment interests" in D-G. The order was entered on May 5, 1969.<sup>3</sup> Petitioner maintains that it was only through continued nondisclosure and misrepresentation on D-G's part that the Commission was led to believe that the cease and desist order had been dissolved when in fact it had not.<sup>4</sup> That the Commission thought the order was dissolved, submits CVCO, is well evidenced by the designation order (FCC 70-127, supra), wherein the Commission stated that:

While the Ohio authorities acted to halt sale of applicant's securities, it did not find it unqualified to do business in Ohio or question its existence as a legal entity. While the Ohio actions may have cast doubt upon D-G's ability to effectuate this proposal, the situation has been altered by the action of the Ohio authorities dissolving the Cease and Desist Order and accepting the subsequent incorporation of the applicant. Such questions as remain are relevant to its qualifications, not to the acceptability of its application for filing. Although we do not

find in the circumstances surrounding issuance of the Cease and Desist Order matters sufficient to raise a disqualification issue, we do believe that it would be appropriate to consider the matter under the contingent comparative issue.

Subsequent to this order, CVCO continues, D-G's counsel filed numerous documents with the Commission without once attempting to rectify the Commission's misunderstanding; and notwithstanding that order, D-G, on May 6, 1969, sold a \$10 partnership share to one Katherine McNamara, and, solicited an "investment pledge" from two others. For these reasons, CVCO requests an evidentiary inquiry into two matters: (1) The sale of partnership interests in violation of the cease and desist order; and (2) the failure to disclose the continuance of the cease and desist order to the Commission.

3. In opposition, D-G concedes that the cease and desist order has not been dissolved, but maintains that it never represented that it was dissolved. D-G claims that the order was "not germane to the problem at hand" because D-G had decided to proceed on a corporate basis rather than as a partnership.<sup>5</sup> In its comments, the Broadcast Bureau submits that the Commission wrongly assumed that the authority granted to D-G, as a corporation, to sell securities was tantamount to a dissolution of the order. However, the Bureau maintains that without the opinion of an "expert in Ohio law" it is unable to judge whether the existence of the order is of any significance. The Bureau therefore opposes inquiries into the cease and desist order violations. In reply, CVCO asserts that D-G's failure to advise the Commission of the continuance of the order is significant, in that the sale of unregistered securities in the State of Ohio is a felony.<sup>6</sup> CVCO further argues that on December 4, 1969, D-G should not have responded in the negative, as it did do, to Question 10 of section II, FCC Form 314, which inquires into whether the "applicant or any party to this application had been found guilty by any court of \* \* \* any felony \* \* \*?" and whether there is "now pending in any court or administrative body against the applicant or any party to this application any action involving any of the matters referred to \* \* \* above?" This response, CVCO suggests, could have been responsible for the Commission's erroneous conclusion.

4. Although D-G's original partners have been found by the Ohio Division of Securities to have sold securities in violation of that State's securities laws, the Review Board is of the opinion that this matter should not be the subject of a disqualifying issue at this time absent some further action on the part of the Ohio authorities. In this connection, the Commission has ordered a comparative inquiry into the circumstances surround-

ing the issuance of the cease and desist order and CVCO has not alleged new facts concerning those "circumstances." The only fact regarding the violation not previously before the Commission is that the cease and desist order has not been dissolved. D-G's failure to so notify the Commission is being made the subject of a separate issue. Furthermore, the matter is still pending before the Ohio authorities; therefore, it would be more appropriate, in our view, to condition any possible grant to D-G than to attempt to litigate the alleged State violations in this agency.<sup>7</sup> In this regard, we are mindful of the Commission's extreme reluctance to interfere in questions of violations of State law where the determination is one more appropriately made by State authorities rather than by the Commission. See Home Service Broadcasting Corp., 21 FCC 2d 168, 18 RR 2d 63 (1970); North American Broadcasting Co., 15 FCC 2d 979, 15 RR 2d 311 (1969). Moreover, since petitioner has failed to establish that D-G received the order by May 6, 1969, it is insignificant that D-G solicited subscriptions on that date. In this regard, D-G states that the order was sent by certified mail on May 5, 1969. CVCO has not shown that D-G knew or had reason to know of the order when it solicited subscriptions on May 6, 1969. While a basic qualifications issue based on D-G's violation of the Ohio Securities law is not warranted at this time, the Board is constrained to add an issue with regard to D-G's failure to advise the Commission of the continued pendency of the cease and desist order. D-G knowingly permitted the Commission to labor under the false assumption that the order had been dissolved. In spite of numerous opportunities to rectify this misunderstanding, D-G failed to do so. Its response to Question 10, section II, FCC Form 314, is particularly damaging. Moreover, even when the Commission specifically referred to the "dissolved" cease and desist order in the designation order, D-G failed to come forward with the correct information. Cf. Lorain Community Broadcasting Co., 18 FCC 2d 686, 16 RR 2d 946 (1969). D-G's argument that the order is not "germane" to the instant proceeding is unpersuasive; to the contrary, the Commission found it sufficiently germane to consider the "dissolved" order under the contingent comparative issue (see 21 FCC 2d at 370, 18 RR 2d at 377); accordingly an appropriate issue will be added.

#### MISREPRESENTATION ISSUES

5. CVCO claims that the history of D-G's application has been "marked at every turn by misrepresentation," and recites several alleged misrepresentations on D-G's part which can be divided into the following categories: (A) Discrepancies in balance sheets; (B) representation of Charles P. Hagan, Jr., as a

<sup>2</sup> Related pleadings before the Board are: (a) Supplement to petition to enlarge issues, filed Mar. 9, 1970, by CVO; (b) opposition, filed Mar. 31, 1970, by D-G; (c) comments, filed Mar. 31, 1970, by the Broadcast Bureau; and (d) reply, filed Apr. 17, 1970, by CVCO.

<sup>3</sup> The Ohio authorities noted that Charles J. Gordon, D-G's president, was not licensed to sell securities in Ohio, nor were the securities of the Delaware-Gahanna FM Radio Broadcasting Station, which he offered for sale, registered with the Ohio Division of Securities; both are required prior to lawful solicitation or sale in Ohio pursuant to sections 1707.01 to 1707.45, inclusive of the Revised Code of Ohio.

<sup>4</sup> D-G's counsel advised the Commission by letter dated July 22, 1969, that a corporation had been formed, and that D-G on July 10, 1969, had been issued a certificate to sell stock by the Ohio authorities.

<sup>5</sup> D-G's application was amended on Dec. 4, 1969, to reflect the corporate status of the applicant.

<sup>6</sup> Petitioner cites sections 1707.44 and 1707.99 of the Ohio Revised Code.

<sup>7</sup> See Berwick Broadcasting Corp., 12 FCC 2d 175, 12 RR 2d 771 (1968); Gamma Television Corp., 11 FCC 2d 875, 12 RR 2d 482 (1968).



partner; (C) names of persons who sold securities; (D) registration statement filed with the Ohio Division of Securities; and (E) alleged misrepresentations to investors. CVCO first alleges that there are discrepancies in the balance sheets submitted by D-G to the Commission on May 9, 1969, and to the Ohio Division of Securities on May 15, 1969. During this 6-day interval, states petitioner, D-G's cash on hand increased by \$992.40; and its "Pledges Receivable" went from a zero balance to \$60,000, although on May 5, 1969, the order of the Ohio Division of Securities prohibiting the sale of partnership shares was issued.<sup>8</sup> CVCO further alleges that the pledges receivable figure was never reported to the Commission. In addition, CVCO notes that D-G's Ohio counsel notified the Commission in a letter dated July 17, 1969, that 46 shares of stock in D-G had been sold totaling \$2,300 and that pledges for the purchase of 1,002 additional shares had been received totaling \$50,100; however, an amendment reflecting these changes was not filed until December 4, 1969. In that amendment, alleges CVCO, a total of only \$58,350 was subscribed, of which more than \$37,000 was allegedly subscribed by "strangers" to the May 12th application. CVCO also maintains that the letter was either "inaccurate" or the earlier subscriptions were "discarded," because the "Pledges for Subscription to Shares" submitted with the December 1969, amendment, shows that 624 of the 727 shares listed were subscribed on October 23, 1969, or later. Petitioner next alleges that D-G falsely represented one Charles P. Hagan, Jr., as a partner. In support of this contention, CVCO attaches Hagan's sworn affidavit wherein he states that he contemplated joining the partnership and gave a postdated check to Mrs. La Roux Mentz, a partner, on April 20, 1969, but that he decided against joining and therefore stopped payment on the check 3 or 4 days later. Petitioner maintains that this misrepresentation was further compounded by D-G's filing of a number of exhibits in support of its application<sup>9</sup> with the Ohio authorities listing Hagan's name as a partner. Next, CVCO contends that, in response to Question 9 of Ohio Division of Securities Form 39 requesting the "names \* \* \* of all persons \* \* \* who sold securities \* \* \*," D-G responded that "No one individual has sold any certificates singularly." In contradiction, CVCO claims that a review of the partnership certificates (filed with the D-G application of May 12, 1969), shows that every share was sold by either Gordon or Mrs. Mentz.<sup>10</sup> Petitioner also alleges that there are several misrepresentations contained in D-G's registration statement filed on June 25, 1969, with the Ohio Division of Securities. In this regard, petitioner asserts that in reply to Question 6(b) of the registration statement, requesting the "Total number of shares sold, issued or subscribed to date," D-G replied "None." CVCO contends that an exhibit attached to D-G's December 4, 1969, amendment, filed with the Commission, contains the names of Harry Blankenship and Robert R. Evans, and states that each "subscribed" to 100 shares on June 3, 1969—more than 15 days prior to D-G's representation that no shares had been subscribed. Next, CVCO alleges that D-G deceived the Ohio authorities when it responded in the negative to Question 9, asking for the "number \* \* \* of shares \* \* \* sold outside of Ohio." Two of respondent's subscribers, CVCO points out, are nonresidents of Ohio.<sup>11</sup> In addition, CVCO claims that D-G solicited and received the subscription of one Ronald L. Westbrook on June 23, 1969, 2 days before the registration became effective. Finally, petitioner maintains that Gordon and Mrs. Mentz misrepresented facts to potential and actual investors. In this regard, CVCO notes that Hagan's affidavit discloses that Mentz did not mention that D-G faced a comparative hearing before the Commission. Therefore, CVCO concludes that others must have been "similarly misled."

6. The Broadcast Bureau, in its comments, notes that the balance sheet dated May 9, 1969, "varies greatly" from the May 15, 1969, balance sheet, and believes that a "satisfactory explanation" should be forthcoming from D-G. With regard to the remaining allegations, the Bureau is of the opinion that they are sufficiently specific to require a response from D-G on the merits. The Bureau notes that if an applicant is found to have misrepresented facts to a state agency, his qualifications to be a licensee of the Commission may be affected; and an issue should be added unless D-G negates the showing made by CVCO. Finally, the Bureau agrees with CVCO that it is reasonable to assume that other investors, in addition to Hagan and those who did invest in D-G, were misled by Gordon and Mrs. Mentz, and thus supports the addition of an issue.

7. In opposition to CVCO's allegations with respect to the balance sheet discrepancies, D-G submits the affidavits of its Ohio counsel, Gordon, and its accountant, to explain the discrepancies and the circumstances surrounding them. Respondent's accountant claims that the cash in the bank and the accounts payable items in the May 15 balance sheet were overstated by \$900, due to a "book-keeping error," when a \$100 deposit was erroneously listed as a \$1,000 deposit. D-G concedes that the \$60,100 figure<sup>12</sup>

was not reported to the Commission, but contends that a more recent figure (\$58,350),<sup>13</sup> was listed in the December 4, 1969, amendment. This difference, D-G posits, resulted from the normal turnover in a newly organized corporation. Finally, D-G maintains that the July 17, 1969, letter to the Commission was correct, and that the December amendment total of 724 pledges, included new pledges for 100 shares and the remaining 624 shares were made by persons who reaffirmed their pledges prior to the incorporation of D-G. With respect to the representation of Hagan as a partner, D-G claims that the "truth of the matter is that D-G made no knowing misrepresentation." D-G contends that it justifiably placed Hagan on its roster of subscribers, since Hagan did not stop payment on his postdated check until May 8 (18 days later) and the order had not been received by May 10, the date D-G's application was executed. D-G claims that a copy of this stop-payment order was filed with the Ohio authorities. Because Hagan was only a 3 percent subscriber, submits D-G, there is no apparent motive why it should "go to extreme lengths" to conceal Hagan's withdrawal. In regard to the names of persons who sold securities, D-G explains that its response to Question 9 did not "mean that everybody had to be together in one room at the same time," but that "of the 16 persons and firms who had purchased partnership certificates, none were designated as salesmen."<sup>14</sup> D-G labels CVCO's allegations concerning the Blankenship, Evans, and Westbrook "subscriptions" as "specious," since they were in fact "pledges" to subscribe to shares rather than subscriptions. Petitioner's claim that D-G sold stock to nonresidents is characterized as "equally specious" by respondent, since both men were visiting Ohio when they subscribed, and accordingly, no shares were sold outside of Ohio. Finally, D-G contends that CVCO's claim of misrepresentations to investors is "uniquely within the cognizance and jurisdiction" of the Ohio authorities, and asserts that the Commission is not justified in adding an issue concerning it unless CVCO shows that appropriate proceedings have been held or are under way in Ohio to resolve the matter.

8. In reply, CVCO first notes, in connection with the balance sheets, that D-G has neither supplied any evidence as to the identity of those from whom the \$60,100 in pledges were receivable, nor has D-G amended its application to reflect the new parties in interest. CVCO

<sup>8</sup> Petitioner also points out that respondent's partnership organizational expense increased by only \$405.80, while its accounts payable went from a zero balance to \$1,388.20.

<sup>9</sup> Form 39 Application for Qualifications of Securities Previously Sold in Ohio without compliance \* \* \*

<sup>10</sup> According to petitioner, another instance of misrepresentation occurred when D-G stated in one of its exhibits that "up to May 5, 1969," \$3,130 of partnership shares had been sold when D-G allegedly sold Katherine McNamara a certificate on May 6.

<sup>11</sup> According to CVCO, Richard K. McConnell lives in Glen Ellyn, Ill., and A. B. Hazlett lives in Huntington, W. Va.

<sup>12</sup> D-G's Ohio counsel, by affidavit, states that the \$60,100 in pledges to subscribe were obtained following a conference with the Ohio Division of Securities, wherein the pledges were discussed and approved by the Ohio authorities.

<sup>13</sup> Gordon maintains that CVCO's reference to the figure of \$58,350, although correct as to amount, is incorrect as to designation. Gordon claims that instead of "subscriptions" the correct designations should be "subscriptions to shares and pledges for subscriptions to shares." He also alleges that of the \$58,350, \$31,100 consisted of subscriptions, shares, and pledges to subscriptions to shares listed in the original filing.

<sup>14</sup> According to D-G, the McNamara subscription did not constitute a violation of securities regulations since the cease and desist order mailed on May 5 was not received until May 8.



asserts that D-G made yet another misrepresentation when it claimed that the \$60,100 in pledges receivable were obtained "after" a conference with the Ohio Division of Securities, in direct contradiction of D-G's Ohio counsel's affidavit attached to D-G's April 13, 1970, opposition to CVCO's petition for reconsideration, wherein he stated that the conference took place on May 19, 1969 (4 days after the date of the balance sheet claiming \$60,100 in pledges receivable). Petitioner does not dispute the explanations for the discrepancies, but does submit that D-G's failure to keep its application current, standing alone, requires the addition of an issue. Next, CVCO asserts that D-G committed a further misrepresentation when, without supporting documentation, it stated that Hagan stopped payment of his check on May 8, 1969, instead of April 24, 1969. The motivation for concealing Hagan's early withdrawal, CVCO contends, stems from the "fact that, upon such withdrawal, the partnership entered a legal state of dissolution, with its permissible activities narrowly circumscribed."<sup>15</sup> Further, in regard to the persons who sold securities, CVCO attacks D-G's explanation of the language used as "a masterpiece of non-logic." In addition, CVCO states that D-G's defense of the sale to McNamara is not a valid defense since its charge was that D-G misrepresented to the Ohio authorities that it had sold all of the partnership shares on or before May 5, 1969, when it allegedly had not. With regard to the registration statement, CVCO contends that D-G's claim that no shares had been sold prior to June 25, 1969, but only "pledges to subscribe," is inconsistent with its representations in the December amendment, as well as with the language of the Blankenship-Evans agreement to "subscribe" to additional shares, wherein D-G refers to them as "subscriptions receivable," "outstanding subscriptions to shares" or "stock subscriptions." Finally, in reply to D-G concerning misrepresentations to D-G investors, CVCO attaches the affidavit of Reverend Donald E. Sanders, pastor of the Christian Faith Temple in Delaware, describing the "pitch" made to him by Gordon on May 4, 1969.<sup>16</sup> Sanders states that although he is not a member of CVCO, he has, with his personal funds, purchased memberships in CVCO for five members of his congregation; and his church has made a "small" contribution to CVCO. Sanders relates that he contacted Gordon in response to a local advertisement, and that, during their conversation, Gordon brought drawings of the proposed station; advised him that CVCO was strictly an

evangelistic group; stated that CVCO would not own the channel; stated that D-M was bought off under the table; and claimed that D-G would pay a 3 percent stock dividend and that the stock would split two-for-one after 3 years.

9. With respect to the first alleged misrepresentation, the Review Board is of the opinion that D-G has adequately explained and justified the discrepancies concededly present in the two balance sheets. The cash on hand account was inadvertently inflated by a "bookkeeping error," and the pledges receivable account increased after the Division of Securities permitted D-G to solicit pledges prior to qualifications or registration. The fluctuation of the pledges receivable account is not unusual in the nascent development of a corporation; the changes appear to be nothing more than normal organizational growth. Petitioner correctly notes that there is an apparent discrepancy concerning the date of the conference between D-G and the Ohio authorities. At one point D-G states that the pledges were obtained following a conference with the Ohio Division of Securities, but in an earlier representation<sup>17</sup> D-G stated that the conference took place "on or about May 19, 1969." If the May 19, 1969, date is accurate it would mean that the solicitation of pledges must have transpired prior to the filing of the May 15th balance sheet, and therefore in violation of the cease and desist order. However, we do not believe that the possible misstatement as to the date of the conference—which is the only substantive allegation presented by CVCO in regard to this matter—warrants an inquiry at the hearing. The allegation is grossly insufficient to establish CVCO's major contention, i.e., that D-G sold securities in violation of the cease and desist order. Therefore, absent further affirmative action by the Ohio authorities, we do not believe that the addition of an issue concerning an alleged violation that concerns a matter solely within the jurisdiction of the State of Ohio is warranted.<sup>18</sup> The Board finds, with respect to the representation of Hagan as a partner, that a substantial question has been raised as to whether D-G misrepresented Hagan's participation and interest in the then existing partnership to the Ohio authorities and/or to the Commission. The fact that Hagan is only a 3 percent shareholder does not serve as a defense nor does it dispel the doubt. The pleadings before the Board with regard to this matter are indeed clouded, and it is difficult to determine the facts surrounding the stop-payment order. However, a copy of

the stop-payment order is attached to an opposition filed by CVCO on June 30, 1970, in response to D-G's petition to enlarge issues, filed June 8, 1970. An examination of the order clearly and unequivocally shows that Hagan stopped payment on April 24, 1969, and not May 8, 1969, as D-G asserted. Thus, a question is raised, not only as to whether D-G misrepresented Hagan's status to the Ohio Division of Securities, but also as to whether it filed incorrect information before the Review Board. It goes without saying that such conduct, if established, could adversely affect an applicant's qualifications; the Board will therefore specify appropriate issues. The alleged misrepresentations concerning the identity of the D-G partners who sold securities were adequately rebutted by respondent; the matters raised are, in our view, de minimis and are not worthy of further consideration.

10. The Board further believes that a substantial doubt has been raised as to whether D-G has misrepresented its response to Question 6(b) of the registration form filed with the Ohio Division of Securities. On June 25, 1969, D-G represented on its registration form that no shares had been issued, sold or subscribed prior to that date; however, on December 4, 1969, respondent filed various exhibits with the Commission which disclosed that certain shares had been subscribed prior to June 25. D-G attempts to extricate itself from this predicament by stating that the subscriptions "were in fact pledges"; however, this explanation is inconsistent with its other references to "subscriptions" rather than "pledges." We recognize that the terms "pledges" and "subscriptions" may have been used interchangeably. However, the pleadings before us clearly do not indicate that D-G understood them to be pledges only. For these reasons, this question must be examined in open hearing to determine whether D-G deliberately misrepresented its response to the Ohio Division of Securities and the effect of such possible violation on the applicant's qualifications to be a Commission licensee. Petitioner's contention that D-G sold stock illegally outside of Ohio is not adequately supported by the allegations and there is not justification for adding an issue. Further, the Board is of the view that Mrs. Mentz's representation to Hagan does not warrant the addition of the requested issue. The one omission—the failure to inform Hagan that D-G faced a comparative hearing—does not constitute a misrepresentation. The allegation also cannot support the presumption that Gordon or other D-G principals failed to so inform other investors. The burden was on CVCO to support its allegations. Rule 1.229. The fact that Reverend Sanders claims that Gordon made false representations to him will not be considered by the Board because this matter was raised for the first time in a reply pleading. See *Home Service Broadcasting Corp.*, FCC 2d—, 19 RR 2d 347 (1970); *East St. Louis Broadcasting Co.*, 9 FCC 2d 212, 10 RR 2d 859 (1967). Therefore, petitioner has not set forth sufficient factual

<sup>15</sup> See D-G's opposition to petition for reconsideration, filed Apr. 13, 1970.

<sup>16</sup> The Board does not deem an additional issue necessary with regard to the identity of these new subscribers to shares in the corporation, because D-G has come forward with the names of the new subscribers in its December 4, 1969, amendment, and it is evident that a majority (i.e., 51 percent) of the ownership in the corporation was retained by those persons whose names appear as members of the partnership set forth in the original filing; the matter is therefore not of decisional significance.

<sup>17</sup> Petitioner cites sections 1775.30 and 1775.32, Ohio Revised Code. In addition, petitioner contends that respondent would be obliged to file a new certificate with the Clerk of the Court of Common Pleas, pursuant to section 1777.03, Ohio Revised Code.

<sup>18</sup> CVCO states that it also has a tape recording of the May 4, 1969, discussion which is in the possession of CVCO's counsel.



allegations to support this particular requested issue.

11. *Accordingly, it is ordered*, That the petition to enlarge issues, filed March 5, 1970, by Christian Voice of Central Ohio is granted to the extent indicated below; and is denied in all other respects; and,

12. *It is further ordered*, That the issues in this proceeding are enlarged by the addition of the following issues:

(a) To determine whether Delaware-Gahanna FM Radio Broadcasting Station, Inc., has deliberately failed to inform the Commission of its still pending cease and desist order issued by the Ohio Division of Securities, and, if so, whether such conduct reflects adversely on Delaware-Gahanna FM Radio Broadcasting Station, Inc.'s basic or comparative qualifications to be a Commission licensee.

(b) To determine whether Delaware-Gahanna FM Radio Broadcasting Station, Inc., misrepresented Charles P. Hagan, Jr.'s participation and interest in the Delaware-Gahanna FM Radio Broadcasting Station, Inc., to the Ohio Division of Securities and/or the Commission, and, if so, whether such conduct reflects adversely on Delaware-Gahanna FM Radio Broadcast Station, Inc.'s basic or comparative qualifications to be a Commission licensee.

(c) To determine whether Delaware-Gahanna FM Radio Broadcasting Station, Inc., has deliberately filed incorrect information before the Commission with regard to Charles P. Hagan's stop-payment order, and, if so, whether such conduct reflects adversely on Delaware-Gahanna FM Radio Broadcasting Station, Inc.'s basic or comparative qualifications to be a Commission licensee.

(d) To determine whether Delaware-Gahanna FM Radio Broadcasting Station, Inc., misrepresented its response to Question 6(b) of the Ohio Division of Securities' registration form, and, if so, whether such conduct reflects adversely on Delaware-Gahanna FM Radio Broadcasting Station, Inc.'s basic or comparative qualifications to be a Commission licensee.

13. *It is further ordered*, That the burden of proceeding with the introduction of evidence under the issues added herein shall be upon Christian Voice of Central Ohio and the burden of proof shall be upon Delaware-Gahanna FM Radio Broadcasting Station, Inc.

14. *It is further ordered*, That in the event of a grant of the application of Delaware-Gahanna FM Radio Broadcasting Station, Inc. (BPH-7004), such grant shall be subject to the condition that it is without prejudice to whatever action, if any, the Commission may deem appropriate as a result of the pending

action in the Ohio Division of Securities, instituted May 5, 1969 (File No. C. 1457).

Adopted: August 6, 1970.

Released: August 10, 1970.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>19</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 70-10597; Filed, Aug. 12, 1970;  
8:48 a.m.]

## FEDERAL MARITIME COMMISSION

BAY RIDGE OPERATING CO., INC.,  
AND INTERNATIONAL TERMINAL  
OPERATING CO., INC.

### Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Mark P. Schlefer, Kominers, Fort, Schlefer, Farmer & Boyer, Tower Building, 1401 K Street NW., Washington, D.C. 20005

Agreement No. T-2444, between Bay Ridge Operating Co., Inc. (Bay Ridge), and International Terminal Operating Co., Inc. (ITO), is a management agreement whereby Bay Ridge will engage ITO to undertake the management and operation of the business of Bay Ridge and

<sup>19</sup> Review Board Member Berkemeyer concurring in result, Board Member Nelson not participating, Board Member Slone, absent.

its subsidiary companies subject to policy decisions of the Bay Ridge Board of Directors and company officers. The ITO management will embrace all of the business and activities of Bay Ridge and its subsidiaries, including, but not limited to, pier operations, billings, accounting, record keeping, and related services. Details of the arrangement are set forth in the agreement. The services of ITO will be retained for a minimum of six (6) months. Thereafter, Bay Ridge may terminate the agreement on sixty (60) days' notice. If not terminated earlier by Bay Ridge, management of Bay Ridge or its subsidiaries by ITO will terminate at the end of thirty-six (36) months. During the term of the agreement ITO assures Bay Ridge and its subsidiaries they will not be subjected to a consolidated net loss in excess of a certain percentage of their consolidated gross revenues. ITO and Bay Ridge agree to share in the consolidated net earnings in varying amounts during the term of the agreement.

Dated: August 11, 1970.

By Order of the Federal Maritime  
Commission.

FRANCIS C. HURNEY,  
Secretary.

[F.R. Doc. 70-10667; Filed, Aug. 12, 1970;  
8:49 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

### LEASING CONSULTANTS INC.

#### Order Suspending Trading

AUGUST 6, 1970.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Leasing Consultants Incorporated, a New York Corporation, and all other securities of Leasing Consultants Incorporated being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 7, 1970, through August 16, 1970, both dates inclusive.

By the Commission.

[SEAL] ROSALIE F. SCHNEIDER,  
Recording Secretary.

[F.R. Doc. 70-10579; Filed, Aug. 12, 1970;  
8:47 a.m.]



[812-2774]

**SCUDDER DEVELOPMENT FUND****Notice of Filing of Application for Order Granting Exemption**

AUGUST 6, 1970.

Notice is hereby given that Scudder Development Fund (Applicant), 345 Park Avenue, New York, N.Y. 10022, an open-end, nondiversified management investment company registered under the Investment Company Act of 1940 (Act) has filed an application pursuant to section 6(c) of the Act for an order granting an exemption from the requirement of section 10(b)(2) of the Act that a majority of Applicant's Board of Directors consists of persons who are not affiliated with Applicant's principal underwriter. All interested persons are referred to the application on file with the Commission for a complete statement of Applicant's representations, which are summarized below.

Applicant has an authorized capitalization of 1 million shares of capital stock and has not issued, or received any subscriptions for, any stock and has no assets. Applicant plans to employ Scudder, Stevens & Clark as its sole investment adviser and Scudder Fund Distributors, Inc., as its sole principal underwriter. The offering price of Applicant's shares will be their net asset value, without any sales load.

Scudder Fund Distributors, Inc., is a wholly-owned subsidiary of Scudder, Stevens & Clark and members of Applicant's Board of Directors who are affiliated persons of Scudder, Stevens & Clark will be affiliated persons of Scudder Fund Distributors, Inc.

The underwriting agreement between Applicant and Scudder Fund Distributors, Inc., will provide in substance that no sales load will be charged in connection with the distribution of Applicant's shares. Applicant states that it will meet the requirements of section 10(d) of the Act in this and other respects and accordingly, as permitted by that section, all the members of the Board of Directors except one may be officers or employees of Applicant or affiliated persons of its investment adviser.

The application states that the sale of Applicant's shares without a sales load will be made possible by the fact that Scudder Fund Distributors, Inc., as a wholly-owned subsidiary of Scudder, Stevens & Clark, will absorb the cost of distribution.

Section 10(b)(2) provides, as here pertinent, that a registered investment company may not use as a principal underwriter of securities issued by it any company as to which a director, officer, or employee of the investment company is an affiliated person, unless a majority of the board of directors of the investment company are persons who are not affiliated persons of such principal underwriter.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person, security, or

transaction from any provision or provisions of the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than August 27, 1970, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information contained in said application, unless an order for hearing shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL]

ROSALIE F. SCHNEIDER,  
Recording Secretary.

[P.R. Doc. 70-10578; Filed, Aug. 12, 1970;  
8:47 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 74]

### MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FOR- WARDER APPLICATIONS

AUGUST 7, 1970.

The following applications are governed by Special Rule 247<sup>1</sup> of the Commission's general rules of practice (49 CFR 1100.247, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within

<sup>1</sup> Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 4267 (Sub-No. 4), filed July 23, 1970. Applicant: C. L. JILLICH TRUCK LINE, INC., 16842 Park Avenue, Post Office Box 96, Hazel Crest, Ill. 60429. Applicant's representative: Anthony T. Thomas, 1811 West 21st Street, Chicago, Ill. 60608. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Machinery and machinery parts,



and materials, supplies, and equipment used in the manufacture and fabrication thereof, between Harvey, Ill., on the one hand, and, on the other, points in Ohio, and Michigan City, Indianapolis, and Huntington, Ind., under contract with Allis Chalmers Manufacturing Co. NOTE: Applicant states that its presently held authority in MC 4267, in some respects, duplicates this application. This application is filed to clarify its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 51146 (Sub-No. 169), filed July 22, 1970. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54306. Applicant's representatives: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602, and D. F. Martin (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by discount and department stores, from New York, N.Y., and its commercial zone to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.* NOTE: Applicant states the requested authority could be tacked with various subs of MC 51146 and applicant will tack with its MC 51146 where feasible. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 82079 (Sub-No. 19) (Amendment), filed July 6, 1970, published in the FEDERAL REGISTER issue of July 23, 1970, amended and republished as amended this issue. Applicant: KELLER TRANSFER LINE, INC., 1239 Randolph Avenue SW., Grand Rapids, Mich. 49507. Applicant's representative: J. M. Neath, Jr., 900 One Vandenberg Center, Grand Rapids, Mich. 49502. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in bulk, from Hillsdale and Lowell, Mich., to Richmond, Ind. NOTE: Common control and dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to add the origin point of Lowell, Mich. If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich., or Indianapolis, Ind.

No. MC 82841 (Sub-No. 71) (Correction), filed June 17, 1970, published in the FEDERAL REGISTER issue of July 9, 1970, and republished as corrected this issue. Applicant: HUNT TRANSPORTATION, INC., 801 Livestock Exchange Building, Omaha, Nebr. 68107. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Belt and bucket elevators, belt conveyors, distributors, work platforms, spouts, ladders, and component parts for bulk material handling equipment, from York, Nebr., to points in the United States excluding Alaska and Hawaii; and (2) materials, equipment, and*

*supplies used in the manufacture of the above-described commodities (except commodities in bulk), from points in Oregon, Indiana, Ohio, Illinois, Missouri, and Arkansas, to York, Nebr.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to reflect (except commodities in bulk), in Part 2 above. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 82861 (Sub-No. 16), filed July 8, 1970. Applicant: BROOKS TRUCK LINE, INC., Post Office Box 40, 609 Southeast 14th Street, Puyallup, Wash. 98371. Applicant's representative: Joseph O. Earp, 607 Third Avenue, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay*, from points in Latah County, Idaho, to ports of entry at or near Blaine and Sumas, Wash., on the international boundary between the United States and Canada. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 84528 (Sub-No. 18), filed May 25, 1970. Applicant: AUTOMOBILE TRANSPORT COMPANY OF CALIFORNIA, a corporation, 1650 West 139th Street, Gardena, Calif. 90249. Applicant's representative: Marshall G. Berol, 100 Bush Street, 21st Floor, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used motor vehicles*; (1) from points in Arkansas, Connecticut, Colorado, Florida, Kentucky, Illinois, Indiana, Idaho, Louisiana, Massachusetts, Maine, Missouri, Michigan, Montana, Nebraska, North Carolina, New York, Ohio, Rhode Island, South Carolina, Tennessee, and Wyoming, to points in California; (2) from points in Texas, to points in Arizona and Missouri; (3) from points in Arizona and Washington, to points in Nevada; (4) from points in Utah, to points in Arizona; and (5) between points in California, on the one hand, and, on the other, points in Arizona, New Jersey, North Dakota, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, and Washington. NOTE: Applicant states that no duplicating authority is sought. Applicant further states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco or Los Angeles, Calif.

No. MC 99695 (Sub-No. 5), filed July 21, 1970. Applicant: ATLAS TRANSIT, INC., Post Office Box 707, Little Rock, Ark. 72203. Applicant's representative: James N. Clay III, 2700 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities (except household goods, commodities in bulk, commodities contaminating to other lading, and commodities requiring special equipment), serving the plantsite of Remington Arms Co., a subsidiary of*

*E. I. duPont de Nemours, Inc., near Lono, Ark., as an off-route point in conjunction with its regular route between Little Rock and West Memphis, Tenn.* NOTE: Common control may be involved. If a hearing is deemed necessary, applicant does not specify the location.

No. MC-105813 (Sub-No. 173) (Correction), filed April 16, 1970, published in the FEDERAL REGISTER issue of May 14, 1970, and republished as corrected this issue. Applicant: BELFORD TRUCKING CO., INC., 3500 Northwest 79th Avenue, Miami, Fla. 33148. Applicant's representative: Jack Goodman, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts, and articles distributed by meat packinghouses, as described in sections A and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from the plantsite of Oscar Mayer & Co., at or near Goodlettsville, Tenn., to points in Alabama, Florida, Georgia, North Carolina, and South Carolina, restricted to traffic originating at the above-described plantsite and destined to points in the above-named destination States.* NOTE: Common control may be involved. This republication is for the purpose of reflecting the origin as Goodlettsville, Tenn., in lieu of Lettsville, Tenn., as was erroneously published previously. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 106163 (Sub-No. 30), filed July 20, 1970. Applicant: RED LINE TRANSFER AND STORAGE COMPANY, INC., 2600 West Sixth Avenue, Post Office Box 7608, Pine Bluff, Ark. 71601. Applicant's representative: Louis Tarlowski, 914 Pyramid Life Building, Little Rock, Ark. 72201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment)*; (1) between Pine Bluff, Ark., and Fort Worth, Tex.; from Pine Bluff, Ark., over U.S. Highway 270 to junction of U.S. Highway 67 (Interstate Highway 30), thence over U.S. Highway 67 (Interstate Highway 30) and U.S. Highway 80 to Fort Worth, Tex., and return over the same route, serving the intermediate point of Dallas, Tex.; and (2) between Little Rock, Ark., and junction of U.S. Highway 270; from Little Rock, Ark., over U.S. Highway 67 (Interstate Highway 30) to junction of U.S. Highway 270, near Malvern, Ark., and return over the same route for purpose of joinder only. Restriction: The sought operations are restricted against the transportation of shipments (1) between Greenville, Miss., and the commercial zone thereof, as defined by the Commission, and Dallas-Fort Worth, Tex., and the commercial zones thereof as defined by the Commission; and (2) between Memphis,



Tenn., and the commercial zone thereof, as defined by the Commission, and Dallas-Fort Worth, Tex., and the commercial zones thereof, as defined by the Commission, and (3) between Bastrop, Sterlington, and Monroe, La., and the commercial zones thereof, as defined by the Commission, and Dallas-Fort Worth, Tex., and the commercial zones thereof, as defined by the Commission, including shipments originating or interchanged at the above-named points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 107064 (Sub-No. 78), filed July 24, 1970. Applicant: STEERE TANK LINES, INC., Post Office Box 2998, 2808 Fairmount Street, Dallas, Tex. 75221. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients*, between points in Texas. NOTE: Applicant states that it will tack with its base docket as to fertilizers and fertilizer ingredients which are petroleum products so as to transport such between New Mexico and Texas east of U.S. Highway 83. If a hearing is deemed necessary, applicant requests it be held at Dallas or Fort Worth, Tex.

No. MC 107295 (Sub-No. 413), filed July 10, 1970. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Buildings*, complete, knocked down, or in sections, including all component parts, materials, supplies, and fixtures, and when shipped with such buildings; and (2) *metal panel sections, and accessories and parts thereof* when shipped therewith, from Columbus, Ga., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and Washington, D.C. NOTE: Applicant states that tacking may take place at points in Illinois and Ottumwa, Iowa, on traffic destined to points in Idaho, Montana, North Dakota, South Dakota, Wyoming, Colorado, Utah, and Nevada as authorized in MC 107295 Part B and Sub No. 49. Applicant further states that should possible duplications be discovered later, it will be disclosed at the hearing. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 108053 (Sub-No. 98), filed July 23, 1970. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., Post Office Box 129, Fremont, Nebr. 68025. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular

routes, transporting: *Meats, meat products and meat byproducts, and articles distributed by meat packinghouses*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles); (1) from Green Bay, Wis., and Des Moines, Iowa, to points in Arizona, Utah, Nevada, California, Oregon, and Washington; and (2) from St. Paul, Minn., and Huron, S. Dak., to points in Utah, Oregon, and Washington, restricted to traffic originating at the named origin points, and destined to the named destination States. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn., or Des Moines, Iowa.

No. MC 108053 (Sub-No. 99), filed July 23, 1970. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., Post Office Box 129, Fremont, Nebr. 68025. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dairy products*, as described in section B of appendix I to the report of *Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Springfield and Stanford, Ky., to points in California, Oregon, and Washington. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 111302 (Sub-No. 58), filed July 23, 1970. Applicant: HIGHWAY TRANSPORT, INC., Post Office Box 79, Powell, Tenn. 37849. Applicant's representative: George W. Clapp, Post Office Box 10188, Greenville, S.C. 29603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cement*, from points in Knox County, Tenn., to points in Alabama, Georgia, Kentucky, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chattanooga or Nashville, Tenn.

No. MC 112617 (Sub-No. 277), filed July 22, 1970. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 21395, Louisville, Ky. 40221. Applicant's representative: Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemical admixtures* for concrete, such as air entraining agents, water reducing agent, and water reducing retarder in liquid, in bulk, from points in Kentucky to points in Indiana, Kentucky, and Ohio. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Washington, D.C.

No. MC 112617 (Sub-No. 278), filed July 22, 1970. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 21395, Louisville, Ky. 40221. Applicant's representative: Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemical admixtures* for concrete, such as air entraining agents, water reducing agent, and water reducing retarder in liquid, in bulk, from the plant-site of W. R. Grace & Co., Chicago, Ill., to plantsites or storage facilities of W. R. Grace & Co. in Kentucky. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Washington, D.C.

No. MC 113666 (Sub-No. 46) (Correction), filed July 1, 1970, published in the FEDERAL REGISTER issue of July 23, 1970, and republished, in part, as corrected, this issue. Applicant: FREEPORT TRANSPORT, INC., 1200 Butler Road, Freeport, Pa. 16229. Applicant's representative: Leonard A. Jaskiewicz, 1730 M Street NW., Washington, D.C. 20036. The purpose of this partial republication is to show the correct docket number as "MC 113666" (Sub-No. 46) in lieu of MC 11366 (Sub-No. 46) as was previously published. The rest of the application remains as published.

No. MC 114533 (Sub-No. 214), filed July 16, 1970. Applicant: BANKERS DISPATCH CORPORATION, 4970 South Archer Avenue, Chicago, Ill. 60632. Applicant's representatives: Warren W. Wallin, 330 South Jefferson Street, Chicago, Ill. 60606, or Arnold Burke, 2220 Brunswick Building, 69 West Washington Boulevard, Chicago, Ill. 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) *Proofs, cuts, copy, and other graphic arts material*; (1) between South Bend, Ind., on the one hand, and, on the other, points in Illinois; and (2) between Hammond, Ind., on the one hand, and, on the other, Decatur, Ill.; (B) *Audit media and other business records*; (1) between Hammond, Ind., on the one hand, and, on the other, Decatur, Ill.; (2) between Elk Grove Village, Ill., on the one hand, and, on the other, Indianapolis, Ind.; and (3) between Benton Harbor, Mich., on the one hand, and, on the other, points in Indiana and Illinois, except Chicago; (C) *Impressions, models, bites, articulators, dentures and products relating to restorative dentistry*, between Omaha, Nebr., on the one hand, and, on the other, Kansas City, Mo., and points in Kansas located on and north of U.S. Interstate Highway 70. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant is authorized under MC 128616, therefore, common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Omaha, Nebr.

No. MC 115669 (Sub-No. 113), filed July 20, 1970. Applicant: HOWARD N.



DAHLSTEN, doing business as DAHLSTEN TRUCK LINE, Post Office Box 95, Clay Center, Nebr. 68933. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Dry fertilizer and dry fertilizer materials*, from points in the Kansas City, Mo.-Kansas City, Kans. Commercial Zone, to points in Colorado, Illinois, Iowa, Kansas, Missouri, Nebraska, Oklahoma, and South Dakota; and (2) *dry fertilizer and dry fertilizer materials*, from St. Joseph, Mo., to points in Colorado, Iowa, Kansas, and Nebraska; and (3) *liquid animal feed and feed supplements*, in bulk, from Leoti, Kans., to points in Colorado, Kansas, Missouri, Nebraska, New Mexico, Oklahoma, and Texas. Restriction: The authority in (1), (2), and (3) above shall be restricted to traffic originating at the origins named and destined to destinations named. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Omaha, Nebr.

No. MC 116474 (Sub-No. 21), filed July 23, 1970. Applicant: LEAVITTS FREIGHT SERVICE, INC., Route 1, Box 170B, Springfield, Ore. 97477. Applicant's representative: Earle V. White, 2400 Southwest Fourth Avenue, Portland, Ore. 97201. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Laminated wood products, prefabricated wood timbers, trusses and beams, and accessories* used in the erection, construction, and completion of the foregoing when shipped therewith, from Saginaw, Ore., to points in Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, and Washington, under contract with Bohemia Wood Systems, Laminating Division, Bohemia Lumber Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 117671 (Sub-No. 2), filed July 13, 1970. Applicant: THOMAS VON MELLO, doing business as NORTH AMERICAN BOAT DISTRIBUTOR AND TRANSPORT, 145 County Road, Marion, Mass. 02738. Applicant's representative: Jeanne M. Hession, 5 Potosi Street, Dorchester, Mass. 02122. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Boats* not exceeding 33 feet in length and *boat accessories* when transported in the same vehicle with boats of which they are a part or to which they are to be attached; (1) from Fall River, Mass., to points in Ohio, Wisconsin, Indiana, Kentucky, Louisiana, Tennessee, Mississippi, Pennsylvania, and Washington, D.C.; and (2) from Hialeah, Fla., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Michigan, Minnesota, Illinois, Ohio, Texas, Wisconsin, Indiana, Kentucky, Louisiana, Mississippi, Tennessee, and Washington, D.C., under contract with Bangor Punta Operations, Inc., and Aquasport, Inc. NOTE:

If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 117693 (Sub-No. 4), filed July 10, 1970. Applicant: BROOKE A. KUNKLEMAN, doing business as KUNKLEMAN TRUCKING SERVICE, Post Office Box 26, Rural Delivery No. 5, Sinking Spring, Pa. 19608. Applicant's representative: Joseph E. Tolson, 3512 Ardmore Avenue, Muhlenberg Park, Reading, Pa. 19605. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Brick*, from Shoemakersville, Pa., to points in Delaware, Maryland, New Jersey, New York, and Connecticut. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 118292 (Sub-No. 24), filed July 20, 1970. Applicant: BALLENTINE PRODUCE, INC., Box 312, Alma, Ark. 72921. Applicant's representatives: Lester M. Bridgeman and Nancy Pyeatt, 420 Executive Building, 1030 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the plantsite of Ocoma Foods at Berryville, Ark., and storage facilities at Springdale, Ark., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Minnesota, Missouri, Nebraska, Oklahoma, Texas, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Washington, D.C.

No. MC 119765 (Sub-No. 20), filed July 21, 1970. Applicant: HENRY G. NELSON, INC., 1548 Locust Street, Avoca, Iowa. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill. 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen meat*, from the cold storage facilities utilized by Wilson-Sinclair at Lafayette, Ind., to points in Illinois, Iowa, Kansas, and Nebraska, restricted to the transportation of traffic originating at the above-specified cold storage facilities and destined to the above destinations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 119777 (Sub-No. 187), filed July 17, 1970. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, Ky. 42431. Applicant's representatives: Louis J. Amato, Post Office Box E, Bowling Green, Ky., and William G. Thomas (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tubing* (except oil field commodities, as defined by the Commission in T. E. Mercer and G. E. Mercer Extension—Oil Field Commodities, 74 M.C.C. 459, and commodities which because of size or weight require the use of special equipment, from Eau Claire, Mich., to points in Alabama, Arkansas, Georgia, Illinois, In-

diana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, Texas, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract authority under MC 126970 Sub 1, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 119777 (Sub-No. 188), filed July 20, 1970. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, Ky. 42431. Applicant's representative: Fred F. Bradley, 213 St. Clair Street, Frankfort, Ky. 40601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*; (1) from Carlinville, Ill., to points in Alabama, Arkansas, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas; and (2) from Lafayette Steel Co., at Dearborn, Mich., to points in above-named destination States. NOTE: Applicant presently holds contract carrier authority under its permit No. MC 126970 Sub-Nos. 1 and 3, therefore dual operations may be involved. Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Frankfort or Louisville, Ky., or Nashville, Tenn.

No. MC 123067 (Sub-No. 107), filed July 23, 1970. Applicant: M & M TANK LINES, INC., Post Office Box 612, Winston-Salem, N.C. 27102. Applicant's representative: B. M. Shirley, Jr. (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, in bulk, in tank vehicles; (1) from Columbia, Ala., to points in Georgia; and (2) from Bainbridge, Ga., to Columbia, Ala. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 123993 (Sub-No. 16), filed July 20, 1970. Applicant: FOGELMAN TRUCK LINE, INC., Post Office Box 1504, Crowley, La. 70526. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Building, Austin, Tex. 78701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the plant or warehouse facility of the American Cyanamid Co. at Avondale, La., to points in Mississippi, restricted to the transportation of traffic originating at the Fortier Plant facility of American Cyanamid Co. at Avondale, La., destined to points in Mississippi. NOTE: Applicant holds contract carrier authority under MC 41116 and Subs, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New Orleans or Baton Rouge, La.



No. MC 124151 (Sub-No. 1) (Amendment), filed June 24, 1970, published in the FEDERAL REGISTER issue of July 23, 1970, amended and republished as amended, in part, this issue. Applicant: VANGUARD TRANSPORTATION INCORPORATED, Post Office Box 157, Avenel, N.J. 07001. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. (4) from Philadelphia, Pa., to New York, N.Y., and (5) from Petty Island, N.J., to New York, N.Y. The purpose of this partial republication is to broaden the scope of authority sought by adding (4) and (5) above. The rest of the application remains the same.

No. MC 124692 (Sub-No. 71), filed July 21, 1970. Applicant: SAMMONS TRUCKING, a corporation, Post Office Box 933, Missoula, Mont. 59801. Applicant's representative: Richard Bebel, 2814 Cleveland Avenue North, St. Paul, Minn. 55113. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Buildings, complete, knocked down, or in sections, and materials and supplies used in the construction and erection thereof, and building materials, between Missoula, Mont., on the one hand, and, on the other, points in Oregon, North Dakota, South Dakota, Wyoming, Montana, Idaho, Washington, and Utah. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Missoula, Mont., or Spokane, Wash.

No. MC 126039 (Sub-No. 14), filed July 16, 1970. Applicant: MORGAN TRANSPORTATION SYSTEM, INC., U.S. Highways 6 and 15, New Paris, Ind. 46553. Applicant's representative: Alki E. Scopelitis, 816 Merchants Bank Building, Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron and steel, articles of iron and steel, and equipment and materials and supplies used in the manufacturing, processing, sales, and distribution thereof, between points in Howard County, Ind., on the one hand, and, on the other, points in the United States except Alaska and Hawaii. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore, does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Indianapolis, Ind.

No. MC 126528 (Sub-No. 2), filed July 17, 1970. Applicant: BULK HAULERS, INC., Airport Road, Nashua, N.H. 03060. Applicant's representative: T. J. O'Loughlin, Jr., 18 Baker Street, Hudson, N.H. 03051. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Al-

coholic beverages, and equipment, materials, and supplies used in connection therewith, between points in California, Connecticut, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Canada, on the one hand, and, on the other, points in New Hampshire, under contract with New Hampshire State Liquor Commission. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Concord, N.H.

No. MC 127563 (Sub-No. 4), filed July 20, 1970. Applicant: HAL BUTLER LUMBER WHOLESALE, INC., Post Office Box 447, Show Low, Ariz. 85901. Applicant's representative: George F. Senner, Jr., 609 Luhrs Building, Phoenix, Ariz. 85003. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Lumber; (1) from Whiteriver, Ariz., to rail heads in Arizona for destination points outside of Arizona; and (2) from Whiteriver, Ariz., to ports of entry on the international boundary line between the United States and Mexico located in Arizona, under contract with Fort Apache Timber Co., a wholly owned and operated enterprise of the White Mountain Apache Indian Tribe. NOTE: If a hearing is deemed necessary, applicant requests it be held at Phoenix or Whiteriver, Ariz.

No. MC 128732 (Sub-No. 9), filed July 20, 1970. Applicant: TRANSPORTATION UNLIMITED OF CALIFORNIA, a corporation, 2659 South Soto, Los Angeles, Calif. 90023. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Meat, meat products, meat byproducts and articles distributed by meat packinghouses as described in sections A and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, from points in Montana, North Dakota, and Minnesota located on the international boundary between the United States and Canada, to points in California and Nevada under continuing contract with Hoffman Brothers Packing Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif., or Lincoln, Nebr.

No. MC 129563 (Sub-No. 2), filed July 20, 1970. Applicant: ONONDAGA BEVERAGE TRANSPORT, INC., 345 Spencer Street, Syracuse, N.Y. 13204. Applicant's representatives: Norman M. Pinsky and Herbert M. Canter, 345 South Warren Street, Syracuse, N.Y. 13202. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) Malt beverages, in containers; and (2) when moving at the same time and in the same vehicle as malt beverages, advertising and promotional materials in connection with the sales of malt beverages, from Natick and Williamansett, Mass.; Cleveland, Ohio; New York, N.Y.; Newark, N.J.; and ports of entry on the interna-

tional boundary line between the United States and Canada in New York, to Elmira Heights, N.Y., limited to the transportation services to be performed under continuing contracts with Seneca Beverage Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Syracuse, N.Y.

No. MC 129973 (Sub-No. 3), filed July 23, 1970. Applicant: FIELD MARKETING SERVICES, INC., 825 Third Avenue, New York, N.Y. 10017. Applicant's representative: William J. Lippman, 1819 H Street NW., Washington, D.C. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) Cosmetics and toilet preparations, articles and sundries; and (2) premiums, equipment, and supplies used in connection with the sales of commodities described in (1) above (except commodities in bulk), from Irvington, N.J., to points in Richmond County, N.Y., under contract with Avon Products, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 133796 (Sub-No. 3), filed July 15, 1970. Applicant: GEORGE APPEL, 249 Calverton Road, Trucksville, Pa. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Skis and paraphernalia used in connection with skiing; (1) from Schaghticoke, N.Y., to Toledo, Ohio; Oconomowoc, Wis.; and Tacoma, Wash.; (2) from Tacoma, Wash., to Oconomowoc, Wis.; Toledo, Ohio; and Schaghticoke, N.Y.; and (3) from Shelburne, Vt., to Toledo, Ohio; Oconomowoc, Wis.; Denver, Colo.; Tacoma and Seattle, Wash.; and Banning, Calif. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC 129239, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Albany, N.Y.

No. MC 134038 (Sub-No. 3), filed July 15, 1970. Applicant: MAJORS TRANSIT, INC., Post Office Box, Caneyville, Ky. 42721. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a common carrier, by motor vehicle, over regular and irregular routes, transporting: Regular routes: General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment); (1) between Louisville, Ky., and Calhoun, Ky., serving all intermediate points west of and including Clarkson, Ky., from Louisville over U.S. Highway 31W to its junction with U.S. Highway 62 at Elizabethtown, Ky., thence over U.S. Highway 62 to Beaver Dam, Ky., thence over U.S. Highway 231 to Hartford, Ky., thence over Kentucky Highway 136 through Livermore, Ky., to its junction with Kentucky Highway 81, thence south over Kentucky



Highway 81 to Calhoun, Ky., and return over the same route; (2) between Livermore, Ky., and Semiway, Ky., serving all intermediate points, from Livermore, Ky., over U.S. Highway 431 to Island, Ky., thence over Kentucky Highway 85 to Semiway, Ky., and return over the same route; (3) between Paradise, Ky., and Morgantown, Ky., serving all intermediate points, from Paradise, Ky., over Kentucky Highway 176 to its junction with U.S. Highway 431 at Drakesboro, Ky., thence over U.S. Highway 431 to its junction with Kentucky Highway 70 at Browder, Ky., thence over Kentucky Highway 70 to Morgantown, Ky., and return over the same route;

(4) Between Calhoun, Ky., and Livermore, Ky., serving all intermediate points, from Calhoun, Ky., over Kentucky Highway 81 to its junction with U.S. Highway 431, thence over U.S. Highway 431 to Livermore, Ky., and return over the same route; (5) between Beaver Dam, Ky., and Morgantown, Ky., serving all intermediate points, from Beaver Dam, Ky., over U.S. Highway 231 to Morgantown, Ky., and return over the same route; (6) between Caneyville, Ky., and Morgantown, Ky., serving all intermediate points, from Caneyville, Ky., over Kentucky Highway 79 to its junction with U.S. Highway 231 at Aberdeen, Ky., thence over U.S. Highway 231 to Morgantown, Ky., and return over the same route; (7) between Clarkson, Ky., and Brownsville, Ky., serving all intermediate points and serving the off-route points of Kyrock, Windyville, Segal, Steep Hollow, Huff, Round Hill, Wye, Grassland, Chalybeate Springs, Cedar Springs, and Bowling Green, Ky., with service at Bowling Green, Ky., and points in its commercial zone restricted against the handling of traffic originating at, destined to, or is interchanged at Louisville, Ky., and points in its commercial zone, and provided that service to Bowling Green, Ky., is to be rendered over the following route, from Brownsville, Ky., over Kentucky Highway 259 to Rhoda, Ky., thence over Kentucky Highway 101 to its junction with U.S. Highway 31W, thence over U.S. Highway 31W to Bowling Green, Ky., and return over the same route, serving no intermediate points; from Clarkson, Ky., over Kentucky Highway 88 to Peonia, Ky., thence over Kentucky Highway 226 to its junction with Kentucky Highway 259 at Meredith, Ky., thence over Kentucky Highway 259 to Brownsville, Ky., and return over the same route. Irregular routes: *Stair treads*, from the plantsite of Young Manufacturing Co. at Beaver Dam, Ky., to Gary, Ind. Restriction: Restricted to traffic originating at the plantsite of Young Manufacturing Co. at Beaver Dam, Ky., and destined to Gary, Ind. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 134214 (Sub-No. 2), filed July 23, 1970. Applicant: SIMPSON TOWING LIMITED, 45 Scott Street, Box 472, St. Catharines, Ontario, Canada.

Applicant's representative, Robert D. Gunderman, 43 Niagara Street, Buffalo, N.Y. 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, inoperative, stolen, and repossessed motor vehicles, including trailers* (except mobile homes or house trailers designed to be drawn by passenger automobiles, and replacements thereof, by wrecker equipment), between ports of entry on the international boundary line between the United States and Canada in New York, Michigan, and Canada in New York, Michigan, and Minnesota on the one hand, and, on the other, points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundary of Itasca and Koochiching Counties, Minn., to ports of entry on the international boundary line between the United States and Canada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 134298 (Sub-No. 2), filed April 10, 1970. Applicant: EARL DONLEY, doing business as DONLEY TRUCKING, Onarga, Ill. 60955. Applicant's representative: Darryl M. Fohrman, 6 North Michigan Avenue, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients, agricultural insecticides and pesticides, animal feed and animal feed supplements*, from points in Milford, Stockland, Ash Grove, Belmont, Prairie, Crescent, Onarga, Fountain Creek, Lovejoy, Green, and Sheldon Townships, Iroquois County, Ill., to points in Illinois, Indiana, Wisconsin, Michigan, and Ohio. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 134535 (Sub-No. 2), filed July 20, 1970. Applicant: CASALE CONTRACT CARRIERS, INC., 156 Old Post Road, Edison, N.J. Applicant's representative: Edward F. Bowes, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Carpeting, rugs, and padding*; (1) from Inwood, N.Y., to points in New Jersey, Philadelphia, Pa.; points in Bucks, Chester, Delaware, and Montgomery Counties, Pa.; Bridgeport, Conn.; and Staten Island, N.Y.; and (2) between Inwood, N.Y., and Dedham, Mass. under contract with Allen Carpet Shops. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 134580, filed May 4, 1970. Applicant: X-PRESSO PARCEL SERVICE, INC., 796 Southern Boulevard, Bronx, New York, N.Y. 10455. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, as defined by the Commission, between

points in the New York, N.Y., commercial zone, restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such shipments. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 134597 (Sub-No. 1), filed July 23, 1970. Applicant: JOSEPH D. SNIPE, doing business as CRESCENT MOVING & STORAGE, Highway 101 South, Post Office Box 4886, Eureka, Calif. 95501. Applicant's representative: Edward J. Hegarty, 100 Bush Street, 21st Floor, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic, between points in Del Norte and Humboldt Counties, Calif. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 134633 (Sub-No. 2), filed July 22, 1970. Applicant: MOHAWK INTERNATIONAL INC., Post Office Box 163, Milford, Utah. Applicant's representative: Stuart L. Poelman, Seventh Floor, Continental Bank Building, Salt Lake City, Utah 84101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Scrap metal*, in bulk, from Sacramento and South San Francisco, Calif., to the plantsite of Shield Development Co., Ltd., near Milford, Utah; and (2) *ore concentrate*, in bulk, from the plantsite of Shield Development Co., Ltd., near Milford, Utah, to McGill, Nev., under a continuing contract with Shield Development Co., Ltd., Milford, Utah. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 134769, filed July 13, 1970. Applicant: WILLIAM J. BURTON, East Victory Way, Newberry, Mich. 49868. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. 48021. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Luce County, Mich., to points in Wisconsin, Illinois, Indiana, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 134783, filed July 20, 1970. Applicant: W. E. HAYNES, doing business as HAYNES TRANSPORTATION COMPANY, Post Office Box 730, Plainview, Tex. 79072. Applicant's representative: Grady L. Fox, 222 Amarillo Building, Amarillo, Tex. 79101. Authority sought to operate as a *common carrier*, by motor



vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as defined by the Commission, from points in Hale County, Tex., to points in New Mexico, Colorado, Wyoming, California, Kansas, Oklahoma, Missouri, Arkansas, Louisiana, Tennessee, Mississippi, Georgia, New York, Massachusetts, Florida, Alabama, North Carolina, and South Carolina. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Amarillo, Tex., or Oklahoma City, Okla.

No. MC 134797, filed June 8, 1970. Applicant: **HORNE HEAVY HAULING, INC.**, 1124 DeKalb Avenue NE., Atlanta, Ga. 30307. Applicant's representative: Monty Schumacher, Suite 310, 2045 Peachtree Road NE., Atlanta, Ga. 30309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Conduit, pipe, and tubing and fittings, and shapes, forms, strips, rods, wire and fencing* (except for oilfield and pipeline commodities as defined by the Commission in *Mercer Extension—Oilfield Commodities*, 74 M.C.C. 459); (1) from the warehouses and storage facilities of the Allied Tube & Conduit Corp., and the Allied Rolled Form Products Corp. in Atlanta, Ga., and its commercial zone, to points in Georgia, Alabama, Louisiana, Texas, Mississippi, Florida, Tennessee, Kentucky, North Carolina, and South Carolina; and (2) from Houston, Tex., to Atlanta, Ga., under a continuing contract, or contracts with the Allied Tube & Conduit Corp. and its affiliate the Allied Rolled Form Products Corp. of Harvey, Ill. **NOTE:** Applicant holds common carrier authority under MC 35045, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., Washington, D.C., or Chicago, Ill.

#### MOTOR CARRIER OF PASSENGERS

No. MC 134715, filed June 15, 1970. Applicant: **GEORGE D. PAQUETTE BUS LINE LIMITED**, 222 William Street, Rosemere (County of Terrebonne), Province of Quebec, Canada. Applicant's representative: George D. Paquette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in charter operations, beginning and ending at ports of entry on the international boundary line between the United States and Canada at or near Rouses Point, N.Y., and Derby Line and Norton, Vt., and extending to points in Vermont and New York. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at the nearest Interstate Commerce board to Canada.

#### APPLICATION IN WHICH HANDLING WITH-OUT ORAL HEARING HAS BEEN REQUESTED

No. MC 133928 (Sub-No. 4) (Correction), filed June 24, 1970, published in the *FEDERAL REGISTER* of July 16, 1970, and republished, as corrected this issue. Applicant: **ANTHONY H. OSTER-**

**KAMP, JR.**, doing business as **OSTER-KAMP TRUCKING**, 764 North Cypress Street, Orange, Calif. 92666. Applicant's representative: Donald Murchison, 211 South Beverly Drive, Beverly Hills, Calif. 90212. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum, gypsum products, and building materials, and materials and supplies* used in the manufacture, installation, or distribution thereof, from points in Los Angeles County, Calif., to points in Arizona, California, Idaho, Nevada, New Mexico, Oregon, Utah, and Washington, under a continuing contract with United States Gypsum Co. **NOTE:** The purpose of this republication is to show the origin as from points in Los Angeles County, Calif. in lieu of Los Angeles, Calif., as previously published.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,  
Acting Secretary.

[F.R. Doc. 70-10537; Filed, Aug. 12, 1970;  
8:45 a.m.]

#### FOURTH SECTION APPLICATION FOR RELIEF

AUGUST 10, 1970.

Protests to the granting of an application must be prepared in accordance with § 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the *FEDERAL REGISTER*.

#### LONG-AND-SHORT HAUL

FSA No. 42025—*Plaster and related articles to points in Wyoming*. Filed by Southwestern Freight Bureau, agent (No. B-175), for interested rail carriers. Rates on calcined plaster and/or plaster-board joint compound, in carloads, as described in the application, from Red Fork and Tulsa, Okla., to points in Wyoming.

Grounds for relief—Market competition, modified short-line distance formula and grouping.

Tariff—Supplement 61 to Southwestern Freight Bureau, agent, tariff ICC 4666.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,  
Acting Secretary.

[F.R. Doc. 70-10603; Filed, Aug. 12, 1970;  
8:49 a.m.]

[Notice 572]

#### MOTOR CARRIER TRANSFER PROCEEDINGS

AUGUST 10, 1970.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of

publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-72199. By order of August 6, 1970, the Motor Carrier Board, on reconsideration, approved the transfer to Mike Riggins, Franklinville, N.J., of the operating rights in Permits Nos. MC 95991, MC 95991 (Sub-No. 1), and MC 95991 (Sub-No. 6), issued November 27, 1962, January 9, 1953, and August 19, 1965, respectively, to Thomas DeFrehn, Clayton, N.J., authorizing the transportation of animal and poultry feed and feed materials, from Newfield, Port Norris, and Wildwood, N.J., to points in Delaware and specified parts of Pennsylvania and Maryland; hay and feed, from Chambersburg, Pa., and points within 5 miles of Chambersburg, to Newfield, N.J.; ingredients used in the manufacture of animal and poultry feed, from Nazareth, Pa., to Newfield, N.J., from Lewes, Del., to Newfield and Lakewood, N.J., Binghamton, NY., and specified points in Pennsylvania, from Selbyville, Del., to Newfield, N.J., and specified points in Pennsylvania, from Meyers-town, Pa., to Newfield, N.J., and Selbyville, Del., from Cambridge, Md., to Newfield and Toms River, N.J., from Newfield, N.J., to Mount Jackson, Farmville, Edinburg, and Jefferson, Va.; and animal and poultry feed and ingredients used in the manufacture of animal and poultry feed, except liquid commodities in bulk between points in Connecticut, Delaware, Maryland, New Jersey, New York, Pennsylvania, and Virginia. Dual authority was approved. Charles Ephraim, 1411 K Street NW., Washington, D.C. 20005, attorney for applicants.

No. MC-FC-72286. By order of August 6, 1970, the Motor Carrier Board approved the transfer to Robert H. Carritt and Richard D. Lorenzen, a partnership, doing business as C & L Transportation, 521 North 20th Street, Denison, Iowa 51542, of the operating rights in Permit No. MC 127146 (Sub-No. 2), issued September 22, 1969, to Lawrence Prenger, 110 Bridgeway Street, Sioux City, Iowa 51101, authorizing the transportation of malt beverages from Minneapolis and St. Paul, Minn., and La Crosse, Wis., to Sioux City, Iowa.

No. MC-FC-72292. By order of August 5, 1970, the Motor Carrier Board approved the transfer to Rolland Guenther, doing business as R. Guenther Trucking, Ross, Ohio, of a portion of the operating rights in Permit No. MC 78725 issued September 3, 1968, to Bert Guenther and Rolland Guenther, a partnership, doing business as Guenther Brothers Trucking Co., Ross, Ohio, authorizing the transportation of steel strapings, paper products, and materials and supplies used in the manufacture of paper products, from Chicago, Ill., to Hamilton, Ohio, serving specified intermediate and off-route points, over specified highways; and paper and paper products, from Hamilton, Ohio, to Chicago, Ill., serving the



intermediate and off-route points specified above; and over irregular routes, paper and paper products, from Hamilton, Ohio, to points in Ohio, those in Illinois on and north of U.S. Highway 40 (except Chicago and points in Illinois within 30 miles of Chicago, and De Kalb, La Salle, and Peoria, Ill.), those in Indiana on and north of U.S. Highway 40 (except Hammond, Muncie, and Richmond), those in Michigan on and south of Michigan Highway 21, Milwaukee, Racine, and Beloit, Wis., St. Louis, Mo., Erie, Pa., and Buffalo and Rochester, N.Y.; and paper, from the immediately above-specified destination points to Hamilton, Ohio; and steel strappings, paper products, and materials and supplies used in the manufacture of paper

products, from points in the immediately above-specified Ohio and Michigan territory, including Toledo, Ohio, and the immediately above-specified destination points, to Hamilton, Ohio, with no transportation for compensation on return, except as otherwise authorized. Jack B. Josselson, 700 Atlas Bank Building, Cincinnati, Ohio 45202, attorney for applicants.

No. MC-FC-72293. By order of August 6, 1970, the Motor Carrier Board approved the transfer to Rolland Guenther, doing business as R. Guenther Trucking, Ross, Ohio, of the operating rights in Certificates Nos. MC 123176, MC 123176 (Sub-No. 4), and MC 123176 (Sub-No. 9) issued November 14, 1963,

July 23, 1964, and January 28, 1969, respectively, to William D. Smith, doing business as K. G. & C. Truck Line, Hamilton, Ohio, authorizing the transportation of malt beverages, from Milwaukee, Wis., to Hamilton and Cincinnati, Ohio; from Peoria, Ill., to Middletown, Ohio; and from Peoria Heights, Ill., to Cincinnati, Ironton, Portsmouth, and Ripley, Ohio, and points in St. Clair Township, Butler County, Ohio. Dual operations were authorized. Jack B. Josselson, 700 Atlas Bank Building, Cincinnati, Ohio 45202, attorney for applicants.

[SEAL] JOSEPH M. HARRINGTON,  
Acting Secretary.

[F.R. Doc. 70-10604; Filed, Aug. 12, 1970;  
8:49 a.m.]

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